





Digitized by the Internet Archive  
in 2016

<https://archive.org/details/historyofhardinc00braz>





ALLEN COUNTY PUBLIC LIBRARY

3 1833 01836 8115



GC  
976.801  
H21BAA

History of  
Hardin County,  
TENNESSEE

BY J. D. ENNIS

# Former Resident Has Seen Half Of Nation's History

1-30-57

He was a little more than a year old when the United States celebrated its Bicentennial in 1876.

Between then and now, 102-year-old Robert Fulton Brazelton has seen the unfolding of half the nation's history and has traveled over almost all the country.

Born in the Hurricane community between Milledgeville and Saltillo on Nov. 24, 1874, Brazelton is the son of a Confederate Army captain and a first cousin of B. G. Brazelton, who wrote the 1885 "History of Hardin County".

At age 26, he moved to Arkansas, worked as a printer and farmer, rearing four sons and four daughters. In 1943, Brazelton moved to Akron, Ohio and worked four years before retiring.

He returned to work in 1950 when he began welding in a son's welding shop, retiring a second time in 1964 when he and his wife moved to Phoenix, Ariz.

Over the years, Brazelton has seen "just about every state in the union except for two or three little ones up in the Northeast. I found out there's a whole lot of beautiful country in these United States—I've enjoyed so much beautiful stuff."

Although he is generally happy and healthy, Brazelton's advancing years have chipped away bit by bit. His hearing isn't what it used to be and cataracts removed eight years ago severely limit his sight. A few months ago his wife died at age 91.

Brazelton is proud of his family, which has stretched to its fifth generation. He has eight children, nine grandchildren, 20 great-grandchildren and five great-great-grandchildren.

Awarded Mack Dubin  
for his excellency in  
Spelling during School  
Term ending August 27<sup>th</sup> 1858

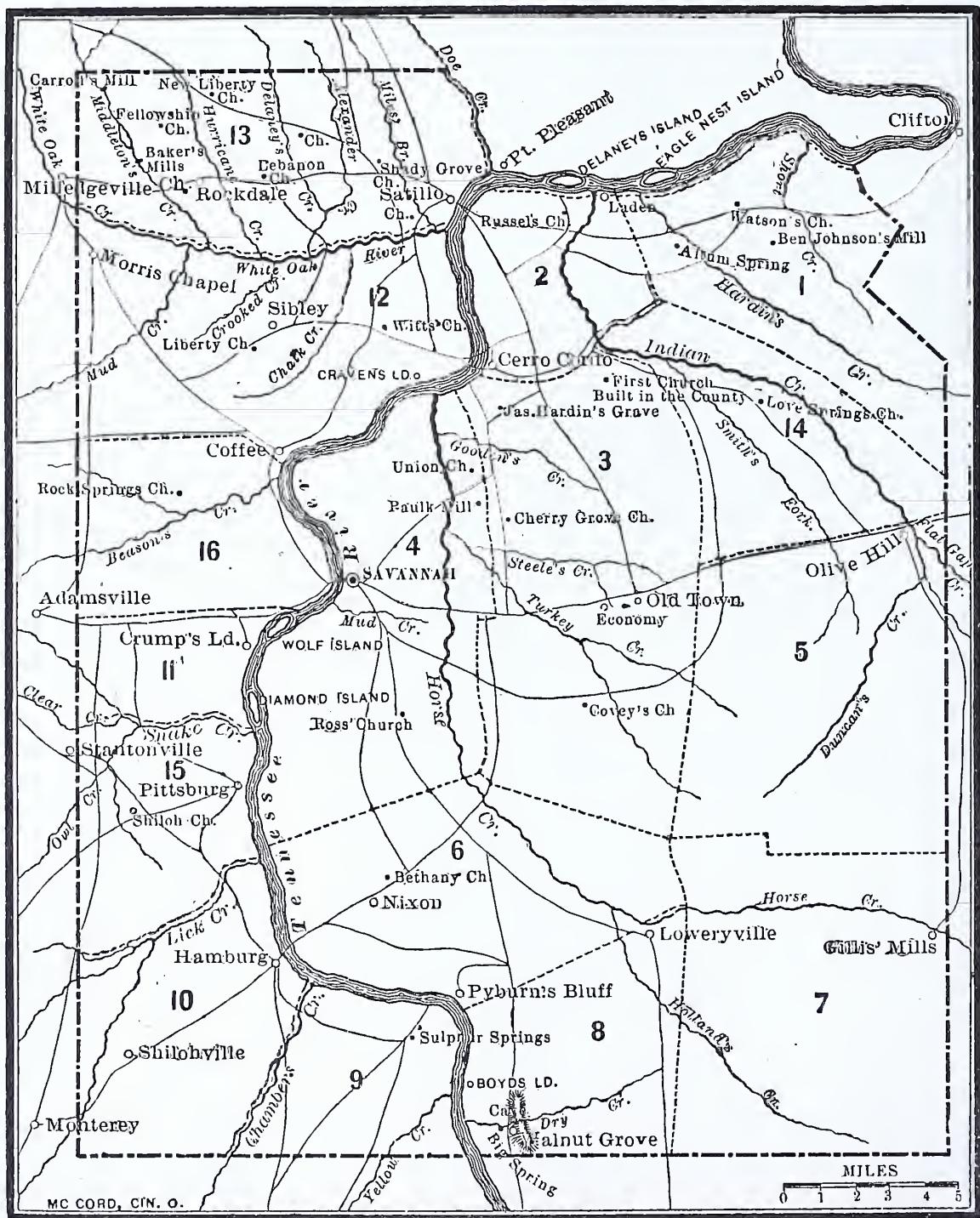
Henry Walker.



B-94.28-22

\$ 750

C-1885



DISTRICT MAP OF HARDIN COUNTY.

A HISTORY  
OF  
HARDIN COUNTY,  
TENNESSEE.

---

BY B. G. BRAZELTON.

---

NASHVILLE, TENN.:  
CUMBERLAND PRESBYTERIAN PUBLISHING HOUSE,  
1885.



→ P R E F A C E . ←

---

IN the preparation of this little book our aim has been to present things in a style that would prove a source of pleasure to the young as well as to the old.

Notwithstanding the gathering up of the facts contained in this book has cost us some time and labor, yet it has proved a source of great pleasure.

We believe the youths of to-day should be made acquainted with the history of the County in which they live, as well as the State; and with this idea in view, we have been prompted to write the present work.

In order to appreciate fully the blessings and advantages of the present age, it is necessary to study the pages of history and compare past days with those in which we live. History points out the causes of improvement, and places the reader upon a mental platform from which he can view the actions of men of the past; it points out the past errors as a warning for the actions of the present; and it is also in itself a species of revelation, which shows that events, though they seem to be fraught with evil when they happen, beheld by the light of history in after-years, prove to have been kindest blessings in disguise.

We now present this little book to the readers of Hardin County, hoping that it will be gladly received; and if such be the case, our labor will not prove ineffectual.

B. G. B.

SALTIMBO, TENN., 1885.



## C O N T E N T S .

---

FRONTISPIECE—District Map of the County.	
PREFACE.....	5
PART I.—EARLY SETTLEMENTS.	
CHAPTER I.—Introductory .....	9
CHAPTER II.—The Departure—On the Boat.....	13
CHAPTER III.—The Trip by Land.....	15
CHAPTER IV.—Genealogy of the Settlers.....	17
Death of John Brazelton.....	18
Separation of the Settlers—Others Come In	19
First Mill—First Shop.....	20
Other Settlers.....	21
CHAPTER V.—Amusements—First Man Killed.....	22
First Panther Killed.....	25
CHAPTER VI.—First Settlers of the West Side of the River.....	27
First House Built at Saltillo.....	29
Other Settlers,.....	32
Other Settlements.....	34
Map of Hardin County in 1820 .....	36
CHAPTER VII.—The First Court.....	37
April Court.....	38
July Court.....	40
October Court.....	40
CHAPTER VIII.—Court Proceedings, continued—First Cotton Gin—First Surveyor—First School-house—First Church-house— Death of James Hardin—First Hotel— First Steamboats—Settlement at Savan- nah—First Person Hung—The Two Par- ties—Settlement at Cerro Gordo—First Methodist Preacher.....	42
Hanging of Mrs. Hughes—First Methodist Church—First Physician .....	48

*CONTENTS.*

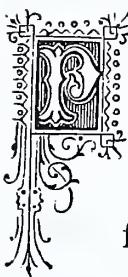
CHAPTER IX.—Review.....	53
Scholastic Population in 1839.....	55
PART II.—THE CIVIL WAR.	
CHAPTER X.—Introductory Remarks.....	58
The Beginning—Voting—Barbecue—Draft	
—Federal Gunboats—The Federal Army.	59
The Federal Army Moves to Savannah.....	65
CHAPTER XI.—The Battle of Shiloh.....	67
First Day's Fight.....	69
Map of the Battle-ground.....	70
Second Day's Fight.....	73
CHAPTER XII.—After the Battle.....	74
The Drummer Boy of Shiloh.....	75
CHAPTER XIII.—Close of the War.....	78
National Cemetery.....	81
PART III.—PHYSICAL GEOGRAPHY.	
CHAPTER XIV.—The County in General.....	83
Timber.....	98
Wild Animals .....	98
Birds.....	99
Fish.....	100
Domestic Animals.....	100
Ancient Earth-works.....	100
CHAPTER XV.—Concluding Review.....	106
APPENDIX—Constitution of the State of Tennessee.....	111
Representatives of Hardin County in the	
Lower House of the Legislature.....	134
Official Vote of Hardin County—1884.....	135

# PART FIRST.

## Early Settlements.

### CHAPTER I.

#### INTRODUCTORY.

 PREVIOUS to the year 1815 the part of Tennessee now known as Hardin County had not been trod by the white man's foot, but here the wild Indians made their trails in search of fish and wild animals. Notwithstanding the plentifullness of game that was hunted and trapped for in this part of the State, we have no account of an Indian wigwam ever being seen in this region. The Indians that visited here lived in the middle part of the State, and came here only to load themselves with furs and wild flesh, and then return to their homes near Waynesboro, where many of them owned large farms.

Early settlers tell us that the bear, wolf, beaver, and other fur-bearing animals were very numerous. Wild turkeys, geese, ducks, and many other wild fowls were very plentiful and easily apprehended. O what a paradise for the savage man and a habitation for the wild animals!

But these things could not always remain so. There must be some one to till the soil in every land if possible. Savageness must give way before civilization; hunting-grounds and resorts of wild men and wild beasts must sooner or later be surrendered to civilized men to be converted into fields of profit.

In the year 1815 Col. Joseph Hardin, with a surveyor and chain-carriers, came down from Roane County, Tennessee, selected and surveyed two thousand acres of land on the east side of the Tennessee River, south of Cerro Gordo. The north-west corner of this land was at the mouth of the Mill Branch, which empties into the river between the ferryboat and steamboat landings at the above-named town. After he had located his land, Col. Hardin cut his name on a birch-tree that stood on the bank of the river at the

mouth of Swift Creek, and returned to his home in Roane County with no intention of ever settling in the region now known as Hardin County himself, but only selected this land for his children.

Col. Hardin served as colonel through the Revolutionary War, for which service he received a land warrant calling for two thousand acres, which he laid in Hardin County.

This old man, after whom Hardin County was named, had seven sons—James, Gipson, Amos, Benjamin, Robert, Second Ben, and Second Bob—and one daughter—Margaret—who was married to Ninnean Steele before he came to this county.

The First Ben and Bob were killed by the Indians when they were quite young. Afterward two more sons were born, and were named Second Ben and Second Bob, after their brothers that were killed. The First Ben and Bob were out playing in the woods when the Indians came on them. Ben was taken prisoner, but Bob outran the Indian, and was shot dead. Soon after Col. Hardin bought Ben back from the Indians, and he stayed at home about two years and ran away, and

as he was never heard of, he was supposd to have been killed by the Indians.

Let us now turn to the next chapter, and see the first move made to establish a colony in Hardin County by the Hardins, Brazeltons, and Goodens.

## CHAPTER II.

### THE DEPARTURE—ON THE BOAT.

 COMPANY of four families, numbering twenty-six men, women, and children, began preparing to leave for a better land in the spring of 1816. Part of the company was to travel through by land, while a few were to go down the river on a boat, and take their goods and provisions to last them for one year.

About the 7th of June the little boat moved out, having on board Solomon Brazelton, Miss Sally Brazelton, Joseph Gooden, and his wife. They proceeded down the river until they arrived at the Muscle Shoals, where they hired an Indian to pilot the boat through. This they were obliged to do, for no one but the red man knew the dangers in this rocky channel. They passed over safely, and continued their voyage for nearly three weeks down a stream where the white man's boat had never floated before, whose banks were not lined

with towns, villages, and fine farms, as now, but all was silent as the grave, except in the night-time, when their rest was disturbed by the howl of the wolf on the distant hills, or the scream of the panther prowling through the dense forest. Day after day they traveled on, looking at the mouth of every creek they saw for the tree with Joseph Hardin's name on it, where they were to land and wait for the company that were traveling by land; but from some cause they failed to see the mouth of Swift Creek, and so went on down till they came to the mouth of Hardin's Creek. Here they decided that they had gone far enough, and ran their boat a short distance up the creek, and landed at a place where Benjamin Johnson's mill once stood. As soon as the boat struck the bank Miss Sarah Brazelton jumped ashore and said, "I am going to be the first white woman to make a track in this wild country!"

## CHAPTER III.

### THE TRIP BY LAND.

HE company that came through by land left Roane County about two weeks before the boat did. They were John Brazelton and his family—with the exception of Solomon and Sarah, who went on the boat—James Hardin and family, Joseph Hardin, jr., and family, and Mrs. Elander Thacker and family—in all twenty-two persons.

They proceeded on, with their horses and cattle, until they reached Warren County. Here they were obliged to wait four weeks for John Brazelton and James Hardin to attend an Indian treaty near the Muscle Shoals. After this they journeyed on through a roadless country, until they arrived on the head-waters of Hardin's Creek, where the cane was so dense that it seemed almost impossible to get through; but these new settlers were not to be stopped, and so took time to cut out a road, and traveled on down the creek until on Monday,

July 15th, when they camped at what is now known as Crowder's Spring, on Hardin's Creek, seven miles from the river.

In the evening of the same day they heard the sound of a bugle down the creek, and on the following morning part of the men proceeded in the direction of the sound, and found the boat company camped on the creek about six miles below. Very soon they all united at Dr. Altum's Spring, where they erected a rude log-cabin fifteen feet square. This was the first house built in Hardin County. The large creek here they called Hardin's Creek, in honor of Col. James Hardin.

Colonel Hardin and Solomon Brazelton served through Jackson's war in the South against the Creek Indians before they moved here, and were in the battle at Horse-shoe Bend, where six hundred savages were slain, and at Talladega during the winter in which their general had nothing at one time but acorns to feed his soldiers upon.

## CHAPTER IV.

### GENEALOGY OF THE SETTLERS.

JOHN BRAZELTON'S grandfather, whose name was also John, came from Wales before the Revolution, and first settled in Frederick County, Maryland. The family that came to this county consisted of John Brazelton, his wife—Hannah—their three sons—Solomon, Benjamin, and William—and four daughters—Mrs. Elender Thacker (then a widow), Elizabeth, Sarah, and Nancy. Mrs. Thacker had two sons, William and Shepherd. Shepherd, the younger son, was only ten years old when he came with the immigrants over the trackless region from East Tennessee to this county.

The Hardins and Goodens were of Irish descent. The Hardin family that moved here consisted of Col. James Hardin, his wife—Nelly—and nine children—three sons (Joseph, Benjamin, and James) and six daughters (Jane, Kizzie, Margaret, Mary, Elizabeth, and Elender).

The Gooden family consisted of Joseph Gooden, his wife, whose name was Hannah, and two sons, James and Thomas.

#### DEATH OF JOHN BRAZELTON.

About the first of September John Brazelton went down to where the town of Clifton now stands and selected that spot to move to, but soon after his return home he was taken sick, and died September 20, 1816, being the first white man that died in Hardin County. He was buried on a small brook near the Altum Spring. His grave was dug with a mattock, and the dirt was handled with a wooden spade. His coffin was made of slabs split from a white-oak tree.

As they were carrying him to his grave his favorite dog followed in the procession, and it was a hard task to keep him away from the coffin until it could be lowered to its last resting-place. This conduct was thought but very little of until a few nights afterward, when the settlers were awakened from their slumbers by a howling in the direction of the grave. They decided at once that it was the wolves scratching up the dead, and a

company with torches proceeded to the house of the dead, where they found the favorite dog standing at the head of his master's grave uttering the most mournful howls.

SEPARATION OF THE SETTLERS—OTHERS COME IN.

After the death of John Brazelton the colony separated. James Hardin and Joseph Gooden settled on what is now the Hope Haggard land, near the Savannah and Clifton ford, on Hardin's Creek, and Mrs. Brazelton settled on the McCaslan Branch, near Indian Creek. This move took place in 1817. During this year James Hardin cleared ten acres of land, which was the first cleared in the county.

It was also in the year 1817 that James Hardin's four brothers—Gipson, Amos, Benjamin, and Robert—moved in from Roane County; and also Jonathan Courtney and his family, consisting of his wife and four sons (John, James, Amos, and Stephen) and three daughters (Melvinie, Nelly, and Ona), came in and settled near Hardin's Creek. Soon after this the Hardin boys found their land near Cerro Gordo, and James moved

and built his house not far from where the Con Broyles residence now stands.

#### FIRST MILL—FIRST SHOP.

Some time during the year 1820 Henry Garner built the first mill, on Indian Creek, a short distance above the Clifton ford. Before this mill was built the citizens went to a mill on Cathey's Creek, in Maury County. At that time there was but one house on that long mill-road, and in it lived an Indian named Billy McClish, who was well known by not only the boys, but the girls, who often went with their brothers to mill.

The settlers purchased their salt from the Kanawha Salt Company, and brought it up the river on barges, which were propelled by means of ropes. Salt cost then four dollars a bushel.

Jonathan Courtney, who arrived in the year 1817, erected a blacksmith, shoe, and carpenter-shop, from which the settlers were supplied with plows, spinning-wheels, looms, and shoes. This shop was located about one mile south-west of the Clifton ford, on Indian Creek. This useful old man sold his wheels at three dollars apiece, and made shoes for fifty cents a pair.

## OTHER SETTLERS.

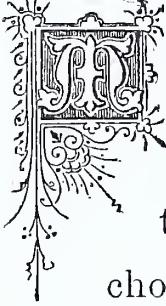
In the year 1820 John Hanna, with his wife—Rebecca—and their nine children—seven sons (William, James, John, David, Alexander, Huel, and Thomas) and two daughters (Hannah and Elizabeth)—left Union County, Tennessee, came down the river in a flatboat, and landed at what is now Cerro Gordo in the month of March. They then moved out from the river and settled between Indian Creek and Smith's Fork.

Among the many who came in and settled about this time (1820) were Jacob Blacksheer, David Robinson (who was an active member in the County Courts), John White, David Kincannan, Ninnean Steele, John Boyd, William Wisdom, Jacob Pyburn (after whom Pyburn's Bluff was named), Temple Johnson, Alec Sloan, John and R. M. Dickson, Robert Forbes, James G. Doren, Jesse Cherry, and Willie J. Duckworth.

James Barnes came in previous to 1820, and was one among the most useful men of the county in his day, and was the second to represent the county in the Tennessee Legislature.

## CHAPTER V.

### AMUSEMENTS—FIRST MAN KILLED—FIRST PANTHER KILLED.

MEANWHILE people began to come in and settle in different parts of the county. The new-comers did not need to raise hogs, for the woods were full of choice game. Deer and turkey were numerous, and as the settler sat in his rude cabin at night his mind was attracted by the howl of the wolf, echoing from hill to hill, and the scream of the panther, prowling through the canebrakes along Indian and Hardin's Creeks.

One who delighted in spending his time hunting and trapping in that early day was Solomon Brazelton. He devoted much time in catching the wolf, which was beginning to be a great pest. When he found one in his trap, he notified the citizens for miles around to come with their dogs and enjoy the fun of seeing the dogs kill the wolf.

Messrs. Willoughby and Ross, two gentlemen

who came in still later, delighted in hunting the deer, and spent many happy days in chasing them over the hills in the southern part of the county, east of Savannah.

Among other things for amusement, the citizens would propose a hunt sometimes, in which most all could engage. Those living on one side of a creek would agree to hunt against those living on the other side, and see who could get the most scalps. Some citizen in the neighborhood would prepare a dinner for the hunters, and the party that got beat had it to pay for. They were allowed to kill and scalp squirrels, hawks, crows, and other animals and fowls that were a pest to the settlers. While the hunt was going on, if one of the party was caught across the line, he lost his scalps—if he could be caught.

Hunting and fishing parties of Indians would often visit the county, more especially the western part, on White Oak Creek; and it was during one of these hunting seasons, in 1819, that a man by the name of Blackwell, while hunting and trapping among the Indians on White Oak Creek, stole a pony from one of the Indians, carried him across

the river, and turned him loose in the cane. Soon after the owner followed, took his pony, and told Blackwell if he did so again he would kill him. It was but a short time till Blackwell was trapping among the Indians again, and this time he not only took the same pony back with him, but the Indian claimed that he took a large lot of furs that did not belong to him. The Indian followed Blackwell this time to his camp, near Garner's mill, on Indian Creek. A jury of a few white men was called and decided in Blackwell's favor. When the decision was announced the Indian sat down on a log and wept most bitterly for a few minutes, then raised his gun, took deliberate aim, and shot Blackwell dead. He then divided the skins, took what he claimed were his, threw Blackwell's in a pile to themselves, mounted his pony, and left for the west side of the river.

This was the first white man killed in Hardin County, and he was buried about a quarter of a mile north-west of Garner's mill.

A company of men followed the Indian and captured him somewhere on White Oak Creek, took him to Courtney's blacksmith-shop, where

Jonathan Courtney made a pair of handcuffs and put on him, and then Shelton and Elisha Smith took him to Columbia jail, where he remained for some time, and finally was released. The Smith boys received thirty-six dollars for guarding and taking this Indian to jail.

## FIRST PANTHER KILLED.

In the year 1818 Miss Elizabeth Berry, afterward the wife of Solomon Brazelton, was returning home one day from a visit to some friends living on the west side of Hardin's Creek, and while riding along a path that led from the Watson ford, on the creek, through the thick cane and across a branch bottom to her home, now known as the McCandless place, about two miles west of the creek, two large panthers ran up a tree that stooped over the path. She rode back a short distance to where her brother, Michael Berry, and several others were cutting out a wagon road, and related what she had seen. Mike shouldered his gun and proceeded to the spot, and sure enough there lay the huge animals stretched out on the body of the tree, just as the girl had left them

He fired, and one fell to the ground dead; the other jumped off and made his escape. When night came on the boys built a fire and broiled a piece of the dead panther, hoping in this way to tole the other up and shoot him, but their stratagem proved a failure—nothing but wolves came to scent of the meat.

The little brook near where this occurred has ever since borne the name of Panther's Branch, for it was here that the first panther was killed in Hardin County.

## CHAPTER VI.

### FIRST SETTLERS OF THE WEST SIDE OF THE RIVER.

BEFORE the white man settled on the west side of the river it was a grand hunting-ground for the Indians. In that early day the hills and creek-bottoms were covered with cane, and deer, turkey, and the black bear were numerous; and on the larger creeks beaver and other fur-bearing animals lived in great numbers. On White Oak Creek and its tributaries appears to have been choice ground for not only the present race of Indians, but for the Mound Builders, who have left their monuments scattered all over this part of Hardin County.

Of the exact date of the first settling of this part of the county we are not informed, but we know that about the year 1819 Simpson Lee and George Orr settled opposite Cerro Gordo. Mr. Lee built a short distance north-east of Craven's Landing,

and Mr. Orr near the Jehu Davy Springs, about two miles north-west of the landing. Their houses, of course, were rude cabins, but when other settlers came in they erected buildings of hewed logs. Messrs. Orr and Lee proved useful men to the county as long as they lived, in viewing and cutting out roads through the western part of the county.

In the year 1819 William Gan and a man by the name of Masengill built a camp near a large spring now called the Davy Spring, but for several years known as the Gan Spring, near Saltillo. These men lived here about two years and moved away, when Edward Mathews lived at the place a short time.

It was also in 1819 that a man by the name of Barnes settled near Shady Grove Church, two and a-half miles from the river; and Allen Anderson, at what is now known as the Etheridge place, near the Lick ford on White Oak Creek; and Jacob Delaney, on the river near the island that now bears his name; and John Chambers, near Chambers's Creek, in what is now the Tenth District.

## FIRST HOUSE BUILT AT SALTILLO.

In the fall of 1822 a permanent settlement was made at Saltillo by Thomas Shannon. In October, 1822, Mr. Shannon left Davidson County, near Nashville, in a keelboat with his household goods and provisions to last one year, Col. John Holland and Parkerson Mitchell, whom he hired to help manage the boat, and his four negro men. They descended the Cumberland to the Ohio, then to the mouth of the Tennessee, ascended the Tennessee to where Point Pleasant now stands, and went out half a mile from the river and erected a camp. Mr. Shannon's family, consisting of his wife, five sons (William, Franklin, Thomas, Nathan, and George), and three daughters (Jane, Susan, and Sarah), came through by land, drove forty head of cattle, and crossed the Tennessee River at a place now known as Shannonsville, and traveled up on the west side of the river to the camp.

Mr. Shannon calculated on a large profit from raising cattle at a small expense, but his cattle were not used to cane, and the result was that in three months from the time they were turned loose in the cane, thirty-nine out of the forty were dead.

A log house was erected soon after the arrival near the camp, which was then the first house built in the county on the west side of the river. The spot where this house stood is now in Decatur County, but was then included in Hardin.

Mr. Shannon's father, as also his mother's father, came from Ireland. Thus we find that the first permanent settlers on both sides of the river were of Irish and Welsh descent.

In the year 1825 Mr. Shannon and his boys built a hewed log house on the hill, about four hundred yards north of the present landing at Saltillo, near the present site of the Mrs. Haney residence. This was the first house built in Saltillo, and was first occupied by William and Nathan Shannon.

It was in this year (1825) that Smith Hawkins brought two hundred dollars' worth of dry goods from Louisville on a keelboat to what is now Saltillo, for Mr. Shannon to sell for him. A hewed log store-house was at once erected, and Nathan Shannon, then a youth, sold out the goods in three months. He sold hats at seven dollars and a-half that sell now for two dollars; shoes at four dollars per pair that sell now for two dollars;

coffee sold then at twenty-five and thirty-three cents per pound, and salt at one dollar and twenty-five cents per bushel.

The place was now called Hawkins's Landing. Mr. Hawkins did not run this store long until he and his brother Perry built a store-house about a quarter of a mile south, near the Gan Spring, where they sold goods for several years.

Mr. Simpson Lee came over to this little village one day, and while running his horse through town was thrown off and killed—being the first man killed in the town now called Saltillo.

It was not long until barges or keelboats traveled the river regularly, bringing dry goods, salt, and sometimes a few barrels of flour.

The first settlers of Saltillo and vicinity were not blessed with plenty of mills, as we are now, but were obliged to go to a mill on Duck River. Some of the new-comers, before they would go that distance to get meal, would soften their corn by soaking it in water, then grate it; others would beat it in a mortar, which was made by sawing off a block from a white oak log and burning out a hole in the end of it, into which the corn was

placed and beat with a maul or pestle. These pounding-mills continued for many years in use by some of the settlers. They were even constructed in such a way that the pestle moved up and down by water-power.

#### OTHER SETTLERS.

In the year 1824 Major James Montgomery landed his boat near the Lick ford on White Oak Creek, and moved out with his family to a spot one-half mile north-west of Shady Grove Church, where he settled; and it was some time during 1824 that he built the first mill that was run by horse-power on the west side of the river. Major Montgomery received his title by serving in the Indian war. He was with Col. James Hardin and Solomon Brazelton at the battle of Horse-shoe Bend.

In 1824 Jesse W. Holland started a tanyard a short distance north of Shady Grove Church, which was the first in the western part of the county.

It was also during this year that a man by the name of Charles Miles moved in and settled one

mile west of Saltillo, near the little creek which has ever since borne the name of Miles's Branch. His house stood on the spot now occupied by the Mrs. Parker mansion. Soon after locating, Mr. Miles built the first cotton-gin on the west side of the river.

About the year 1825 Jehu Davy came in and bought a tract of land now known as the Etheridge place, lying near the Lick ford on White Oak Creek, which was then occupied by a man by the name of Allen Anderson. Mr. Davy's family consisted of his wife and eight children—five sons and three daughters.

The land lying along the river from Point Pleasant to half a mile south of Saltillo first belonged to Thomas Shannon. In 1842 Thomas Davy became the owner of the land where Saltillo now stands; then for several years the place was called Davy's Landing.

In 1849 Mr. Davy leased the landing to Scott Terry, who named the place Saltillo, sold goods there about two years, and died. The next store was the firm of Davy & Williams, with a capital stock of three thousand dollars.

Previous to 1855 the business-houses were near the river, and it was not until after the war that the town began to move westward. No town in the county is more nicely situated than Saltillo. The ground where the town is, and for a mile west of the river, lies well for the situation of a beautiful city.

#### OTHER SETTLEMENTS.

It was not long after the first settlement at Saltillo until people began to move in and settle the territory south of White Oak River. George Norwood and Jesse Jones settled on Mud Creek; Isaac Graham and Robert King on Chalk Creek; Mrs. Kerr near the mouth of Mud Creek, on the east side of the creek; James English near the head of Chalk Creek. Jesse Jones's house was one of the precincts in that early day.

Previous to the year 1825 a public road ran from the lower end of Coffee Bluff to the top of the bluff. Here it intersected the road from Hardin's Ferry (now Cerro Gordo) to McNairy Court-house.

Several years after the first settlement at Saltillo a company of hunters and trappers by the name of Stars and Jacksons settled the region between

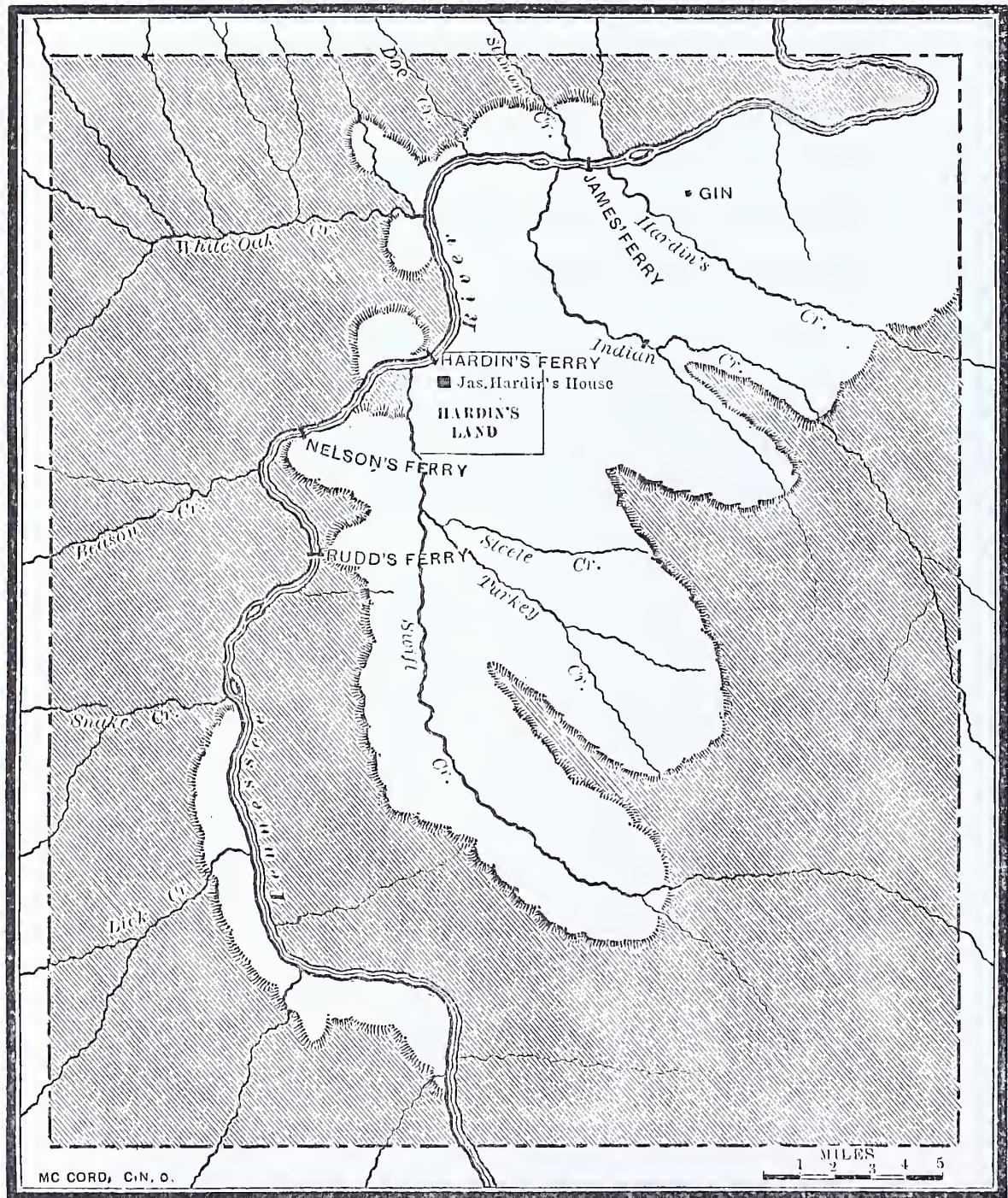
Middleton's and Hurricane Creeks. This company first came here from Ohio, and spent several years hunting and trapping for the beaver on White Oak Creek; they finally returned, sold their lands in that State, and moved with their families to this part of Hardin County.

John and Robert Barham were the first settlers of Coffee Landing. These two brothers merchandised there for several years before the civil war. The place took its name from the great coffee sand bluff on the river.

Crump's Landing was first settled by a man named Burnet, and was for several years called Burnet's Landing. Dr. Crump bought the place and gave it the name it now bears.

Pittsburg Landing was named after Pitts Tucker, who kept a liquor-shop there before the Rebellion. Thousands of people visit this little town every year to see the beautiful cemetery and to travel over the great battle-field.

We will now leave the subject of settlements, and in the next chapter notice the proceedings of the first courts.



MAP OF HARDIN COUNTY IN 1820.

## CHAPTER VII.

### THE FIRST COURT.

E now come to the year 1820, four years from the time the first cabin was built, and we see a county without boundaries—not only this, it had not been named.

And the pioneers had lived up to this good time without having organized the first court. Judging the time then by the present, it seems strange that they lived so long without a court to punish the bad; but perhaps they possessed that grand ornament that a nation of old once had. When the question was asked why they had no written laws, they answered back, "*Good manners need no laws.*"

It was on the 3d day of January, 1820, that a few of the settlers, having decided to make a county out of what was then almost a wilderness, met at the house of James Hardin, near Cerro Gordo, and organized a Court of Pleas and Quarter Sessions. Col. James Hardin was chosen Clerk

and Daniel Smith, Sheriff. David Kincannon, James Barnes, Samuel Harbor, Isham Cherry, and Joseph McMahon were elected as the Quorum Court, to serve one year, and six constables were also elected.

On the following day court met again, and the officers elected on the day before gave bond and entered on the discharge of their duties.

An election was next held for other county officers, which resulted as follows: Henry Mahar was elected Ranger; Joseph McMahon, Trustee; James Barnes, Register; Stephen Roach, Coroner; and Isham Cherry, Chairman of the Court

The constables each gave bond in the sum of six hundred and twenty-five dollars. A *venire* of twenty-five good men were appointed as jurors at the next term of the court. The Clerk's bond was ordered placed in the hands of the Chairman for safe-keeping, and the court adjourned to meet the first Monday in April.

#### APRIL COURT.

At the April term the last will and testament Michael Berry, deceased, was produced in open

court and duly proven by the oath of Miss Betty and Miss Mary Berry. This was the first will produced in Hardin County.

A tax was next levied as follows:

On each 100 acres of land . . . . .	18 $\frac{3}{4}$ c.
On each town lot . . . . .	37 $\frac{1}{2}$ c.
On each free poll . . . . .	12 $\frac{1}{2}$ c.
On each slave between the ages of twelve and fifty years . . . . .	25c.
On each retail store or peddler . . . . .	\$5 00
On each tavern-keeper . . . . .	5 00

The following justices were appointed to take a list of taxable property in the county: Samuel White, in the upper settlement on Swift Creek and its waters; Isham Cherry, on the west side of the river, in what is now included in the Ninth, Tenth, and Fifteenth Districts; David Kincannan, in what is now the Eleventh, Twelfth, Thirteenth, and Sixteenth Districts; Edmund W. Gee, in that part of Hardin that has since been given to Decatur County; James Huddleston, in the north-east corner of the county as far south and west as Indian Creek; Joseph McMahon, in the territory lying between Indian Creek and the dividing ridge between said creek and Turkey Creek; J. W. Martin, in the settlements on Turkey Creek and

its waters; and Ninnean Steele, for the town company.

It will be seen that the county was first divided into settlements, or neighborhoods, and not into districts, as now.

Before the next tax was assessed by the court, the militia was organized and a tax-assessor appointed for each captain's company. Perhaps it would not be out of place to state here that the first captains of the militia in this county were Warnal, Williams, Jones, Mahan, English, and Paine; and that the first constables elected were Lewis Fortner, Elisha Smith, James H. Steele, John G. Williams, and Shelton Smith; and that the Hon. Joshua Haskell was the first Circuit Judge, and J. W. Judkins the first Circuit Court Clerk.

#### JULY COURT.

This term was mostly devoted to appointing commissioners to view and mark out roads, receiving wolf-scalps, and appointing jurors for the next term.

#### OCTOBER COURT.

At the October term J. W. Judkins was sworn

in as Deputy Clerk, and produced a seal, which was admitted as the first seal of Hardin County.

James R. McMeans, who had been appointed Solicitor-General, resigned, and the vacancy was filled by the appointment of James Scott.

John G. Williams was allowed thirty dollars for building a court-house.

A suit pending between James Williams and Charles Jones was the first civil suit ever disposed of in the county; while the State against Reuben Clark was the first case ever dismissed at the court's cost.

Court continued two days and adjourned. This completed the Court of Pleas and Quarter Sessions for the year 1820.

## CHAPTER VIII.

COURT PROCEEDINGS, CONTINUED—FIRST COTTON GIN—FIRST SURVEYOR—FIRST SCHOOL-HOUSE—FIRST CHURCH-HOUSE—DEATH OF JAMES HARDIN—FIRST HOTEL—FIRST STEAMBOATS—SETTLEMENT AT SAVANNAH—FIRST PERSON HUNG—THE TWO PARTIES—SETTLEMENT AT CERRO GORDO—FIRST METHODIST PREACHER.

HE first lawyers made their appearance at the January term, 1821. Isaac S: W. Cook, Esq., and James W. Combs, Esq., produced their license to practice law, took the oath prescribed by law, and were admitted to practice in Hardin County.

At the April term, 1821, J. W. Judkins was paid five dollars for the first county seal.

In the year 1821 James F. McMahan was granted liberty to keep a ferry on his own land opposite Cerro Gordo.

Some time during the year 1821 Col. James Hardin was granted liberty to keep a ferry on the river at the mouth of Swift Creek. The same

court ordered that the following prices be charged for ferriage: For man and horse, 25 cents; for single man or horse,  $12\frac{1}{2}$  cents; for wagon and team, \$1; for each head of cattle,  $6\frac{1}{4}$  cents; for each head of hogs or sheep, 3 cents.

In 1822 James Barnes, Hiram Boone, J. G. Williams, A. W. Sweeney, and Noah Lilly, a committee that had been previously appointed to select a place for the county capital, reported to the July court that they had located the center of the county at Hardinsville, and had also purchased fifty acres of land there. Court, which was then in session at James Hardin's house, adjourned to meet at Hardinsville next day at ten o'clock, which was July 2, 1822.

A committee was next appointed to view and mark out a road to James's Ferry on the river, for the benefit of those living across the river in the northern part of the county.

In 1823 R. T. Patton was granted leave to keep a ferry on the Tennessee River.

In 1823 a public road was cut out from Hardinsville to Rudd's Ferry, where Savannah now stands, and Jordan Nanny was the first overseer.

In 1824 a road was cut out from Hardin's Ferry in the direction of McNairy County Court-house, and James Morrow and Simpson Lee were appointed overseers.

In March, 1825, a jail was finished at Hardinsville at a cost of two thousand dollars.

Thomas Shannon was granted liberty to keep a ferry on the river where Saltillo now stands, and he gave John A. Rawlings and J. W. Judkins as securities.

The first school commissioners were appointed by the court June 24, 1825. They were Joel Casey, James Barnes, David Robinson, J. G. Williams, and Jesse B. Gant. These men were appointed for the whole county, and served for two years.

It was, perhaps, about the year 1821 that Lewis H. Broyles brought five hundred dollars' worth of goods down the river on a barge from East Tennessee, and started a store in a log house near James Hardin's. The first thing he sold was two wool hats, at one dollar apiece, to Mrs. Nelly Thacker, for her two boys, William and Shepherd. Mr. Broyles merchandised here until 1822, when he moved his store to Hardinsville.

Daniel Smith, as we have already stated, was the first Sheriff. In 1822 J. W. Judkins was elected Sheriff, with Robert Steele his Deputy; and in April, 1824, Lewis N. Falkner was elected Sheriff.

In that early day there seemed to be men qualified to fill any trade or profession that was necessary to the welfare of the settlers.

In the year 1822 a man by the name of Tomkins built a cotton-gin on Whitlow's Creek, and soon after Thomas Hammon built another one near the same creek, that run by horse-power.

Not far from this time Ninnean Steele and Alexander McClintock moved in with their families and settled on Steele's Creek. They were of Irish descent, and were excellent mathematicians. Alexander McClintock was the first surveyor in the county.

In the year 1824 the pioneers built their first school-house not far from the Clifton ford, on Indian Creek, on the south side of the Clifton and Savannah road, and on what is now known as the Whitlow land. It was eighteen feet square, of logs, with no seats but the sleepers of the house, no floor but the solid earth, no chimney—the fire

was built on the ground in the center of the house; no glass windows, like the school-house of to-day. The first man that taught school in this ancient academy was Thomas Stockton, and his pupils—many of them grown men and women—were Stocktons, Hardins, Brazeltons, McMahons, Dobbinses, and McConnells. The text-books used were Pike's Arithmetic and Webster's old Spelling-book, dated 1820. The contents of those old spelling-books were quite different to the present style of spellers, and one is now scarcely seen.

In the year 1825 a Baptist church was built near the grave of Blackwell. It was a log structure, twenty feet in length and the same in width. The first man that preached in this rude tabernacle was the Rev. Charles Riddle, of the Hard-shell persuasion.

In the year 1826 Col. James Hardin died, and his grave can now be seen on the south side of the Savannah and Clifton road, about two hundred yards north-east of where Thomas Shelby lived. Col. Hardin had proved a useful man to the county of which he might properly be called the father.

Previous to his death Col. Hardin had exchanged his log house for a handsome brick mansion. His widow remained here until 1832, when she and all her sons, sons-in-law, and their families moved to the "New Purchase," in Kentucky, and never returned.

L. H. Broyles moved his store to Hardinsville about the year 1823, and John Kendal put up a log house and kept the first hotel in the county in that town. Soon after a man by the name of Swaney started a saddler-shop at Hardinsville, and Bowman opened a hatter-shop.

When the boundaries of Hardin were first established a small portion of Wayne, where Clifton now stands, and about two districts of what is now the southern part of Decatur, were included in this boundary. Several years later the Legislature of Tennessee gave off the north-west corner of Hardin to Wayne, and in 1856 the two districts in the northern part were given to Decatur.

The first steamboat that started up the river was the Eagle, which sunk on her first trip at the head of Eagle-nest Island. Shortly after the steamer Rocket came up from New Orleans, and for some

time made regular trips from that city up the Tennessee River.

FIRST SETTLEMENT AT SAVANNAH—HANGING OF MRS. HUGHES—THE TWO PARTIES—SETTLEMENT AT CERRO GORDO—FIRST METHODIST CHURCH—FIRST PHYSICIAN.

The seat of justice remained at Hardinsville seven years, and during that time a brick court-house was built by Mr. James Barnes. The first settlers speak of this house as being a beautiful building, and perhaps it was, compared with the buildings in that day. Hardinsville was supposed to be the center of the county, and it was then believed that this place would ever be the county capital, but it was afterward found to be too far east, and a new location had to be selected, which resulted in Savannah, then called Rudd's Ferry. In the year 1821 a dwelling-house was built on the bank of the river near the present landing at Savannah, and a ferry established there by James Rudd. In the year 1830 the seat of justice was moved here, a court-house was erected of round gum logs, and the place received the name it now bears.

Where the town of Savannah now stands was

in that early day a thicket of gum saplings, and the first houses there were built of this timber and called pole-cabins.

It was during this age of Savannah that two noted fighters, Gipson Hardin and Elisha Smith, met to test their strength. A ring was made, seconds chosen, and the two braves went to battling. A vast crowd of people were present to witness the battle, and they were all so eager to see that many crowded upon the roofs of the houses, and the result was they crushed the little pole-cabins to the earth. Mr. Hardin proved to be the better man, but Savannah was in ruins!

After the seat of justice was removed to Savannah L. H. Broyles bought the court-house at Hardinsville for a store-house, and John Kendal moved to Savannah, erected a hewed log house, in which he kept hotel until his death; after this the hotel was controlled by his widow for a few years, when she died; then by her son John until the civil war. After the war Mr. John Kendal erected the Kendal House, which now stands on the bank of the river.

The first brick building built in Savannah was erected by Col. Stephens, and was used some time

by him as a dwelling and saddler-shop. This building is still standing on the north side of the Public Square, and is now known as the Irvin store-house.

David Robinson came in soon after Col. Stephens, took charge of the ferry, and erected the brick building now known as the Cherry mansion. Mr. Robinson was at that time, perhaps, the richest man in the county, for he not only owned a portion of the land where the town now stands, but a large body of land on the west side of the river, opposite the town.

A more handsome and a larger court-house was built in 1832, which stood until the civil war, when it was burnt; but the county records were saved by the Hon. J. D. Martin, a citizen of the town, who snatched them from the flames and kept them concealed until peace was declared. After the Rebellion the present court-house was built at a cost of ten thousand dollars.

The first person hung in the county was Mrs. Hughes, for killing her husband. The gallows was erected between the present Kendal House and the river at Savannah. Thomas Gray was

then Sheriff, but from some cause did not officiate at the hanging, and so hired Jesse Jones, his Deputy, to tie the rope. Joseph Kendal, a colored boy, drove the cart from under the victim. It is said that over a thousand people were present to witness the first execution of a murderer in Hardin County. Mr. Gray at once resigned his office for fear he would have another woman to hang, a thing he did not want to do.

As we have already said, David Robinson was a very active member of the County Court in his day, and it was through his influence that free ferriage was granted the justices living on the west side of the river—a law that has been sanctioned by the courts to the present day.

In the first election days there were two parties in existence—one was called the “Hardin party,” with Col. James Hardin as its leader, and the other was called the “Robinson party,” with David Robinson as its leader. The former was composed principally of one connection, while the latter was not composed altogether of Mr. Robinson’s relatives. These two parties lasted for several years, and at times were very hostile toward each other.

Each desired to rule the county; but they had their day, and finally the members of the former assumed the name of Whig, and most of the latter, Democrat.

In the year 1830 John White and Elisha Bryant settled with their families on the east bank of the Tennessee River, and erected a dwelling-house, grocery-store, cotton-gin, and kept a ferry. The place was called White's Ferry until 1849, when it was named Cerro Gordo, after a town by that name in Mexico.

In 1830 the Rev. John Watson, from South Carolina, organized the first Methodist Church in the county, in a small log house near Hardin's Creek, in the First Civil District.

The first physician that administered to the sick in Hardin County was Dr. Brown, of Columbia, Tenn. He was followed by Drs. McMahan and Watts.

## CHAPTER IX.

### REVIEW.

ROM 1815 to 1840 the history of Hardin County has been given in previous chapters. In 1816, you remember, there were but twenty-six persons living in Hardin; now, according to the census of 1840, we find the total population to be 8,240. Of this number 7,910 were whites and 330 were slaves.

In 1840 there were 77,037 acres of improved and occupied land in the county, valued at three hundred and eighty-two thousand dollars.

The progress in education had been very slow up to this date, notwithstanding private schools had been in existence since 1824. The first school commissioners were elected as early as June, 1825, but nothing of account was done in the way of public schools until 1839. At this date the county contained twelve civil districts, and there were five school directors elected for each district, who enumerated all the white children over six and

under sixteen years old, in their respective districts, on the last day of June in each year. In 1840 the Thirteenth District was included in the Twelfth, and the first school directors in it were Major James Montgomery, Solomon Brazelton, Davidson Alexander, and two others, names unknown.

The school law then required that a school be kept at least three months by a qualified teacher, in order to entitle a district to its share of the public funds. The law nowhere specified what the teacher's qualifications should be, or who was to judge concerning them. Robert H. McEwen, then Superintendent of Public Instruction, supplied this omission in the law by giving the commissioners the power to examine teachers, and give certificates to such as should be found to possess proper moral and intellectual qualifications.

The following table shows how the school fund was apportioned in Hardin County in the year 1839:

Districts.	Scholastic Population.	Apportionment of School Fund in 1839.
1	290	\$ 180 17
2	217	135 22
3	220	137 09
4	130	81 01
5	165	102 82
6	213	132 73
7	104	64 81
8	183	114 04
9	240	149 56
10	152	69 79
11	257	160 15
12	203	126 50
	2,374	\$1,453 89

The above table shows that the scholastic population of the county in 1839 was twenty-three hundred and thirty-four, and that the school fund was fourteen hundred and fifty-four dollars and forty-three cents, which was about sixty-two cents per scholar.

Let us now step up ten years and see the condition of the county. At this date (1850) we find a total population of 10,328 souls. Of this number 9,040 are whites, 31 free blacks, and 1,257 are slaves. We find Savannah with a population of eight hundred. We see six hundred and ninety farms, containing 34,446 acres, and 164,432 acres

of unimproved land. The occupied or improved land was valued at five hundred and eighty-six thousand dollars. We find in the county fifteen hundred dwellings, fifteen hundred and thirteen families, twenty-four hundred and thirty-nine horses and mules, sixty-nine hundred head of cattle, sixty-six hundred sheep, and twenty-four thousand six hundred and eighteen hogs. The crop of 1850 amounted to seventy-four hundred and eighty-eight bushels of wheat, four hundred and forty-nine thousand three hundred bushels of corn, and six hundred and eighty-six bales of cotton. The scholastic population of the county in 1850 was thirty-seven hundred, and the school fund was fourteen hundred and forty-two dollars. The capital invested in manufactures in the county in 1850 was sixty-six thousand seven hundred and forty dollars.

In the year 1860, forty-four years after the first cabin was built, the total population of the county was 11,217. Of this number 9,600 were whites, 1,650 were slaves; and the voting population of the county was 1,650.

At this date four of the first settlers were still

living. They had lived to see a wilderness changed to the habitation of civilized man. The Indian and his dog were gone to return no more. The wild beasts had been slain or had left for the Mississippi swamps, where they could roam unmolested by the white man. The once wild cane-brake-lands on the east and the beautiful uplands on the west were fast changing into nice farms, and everywhere peace and prosperity seemed to reign supreme.

At this date the citizens of Hardin County knew not the terrible fate that awaited them. The Nation was soon to be convulsed by a mighty Rebellion, which would change peace to confusion, turn joy into mourning, and stain the land with blood.

For the history of the civil war as it occurred in Hardin County, we refer the reader to the next chapter.

## PART SECOND.

---

### The Civil War.

---

#### CHAPTER X.

##### INTRODUCTORY REMARKS.

O one knows the trouble and horror of war unless they have lived through a war and beheld it in all its scenes. The boys and girls of to-day know nothing of the great Rebellion that occurred over twenty years ago. They know comparatively nothing of what the poor soldiers went through before they were allowed to return to their homes and live in peace. They do not know the hardships that the gray-headed fathers of to-day went through while staying at home and trying to make a support for their families.

The little boys and girls of to-day have not the faintest idea of the places sought out for the con-

cealment of property, and the means used in preventing its discovery by the roving bands of soldiers that frequented the country in the absence of the regular army.

No one can estimate the amount of bloodshed, the agonies of the wounded and dying, or the hardships endured in war, for it is beyond the power of the tongue to tell or the pen to describe. No one can tell the sad effect of war more than those who have beheld it with their eyes, heard it with their ears, and felt the full pressure of it in many battles.

We will now picture to the reader as best we can the appearance of the great civil war in Hardin County from the beginning to the close.

THE BEGINNING — VOTING — BARBECUE — DRAFT — FEDERAL GUNBOATS—THE FEDERAL ARMY.

When it was known that a war was approaching, those who had experienced war-times, and those who had heard their ancestors relate stories of the Revolution, and the trouble caused and mischief done by the Tory bands, looked on the approaching Rebellion with terror, for they expected

a repetition of what they had learned of past wars; while a few persons said it would only be sport and all over in one year, but they doubtless thought quite different before the end of five years.

The first thing the citizens were asked to do was to vote "Separation" or "No Separation." A few leaders said, "Vote the State out of the Union and the war will stop." Hardin County voted to stay in the Union, but the State went out by some means, and the war came on, as might have been expected. The militia were ordered to meet regularly to be drilled at the "muster-grounds," which were at Old Town, for the east side of the river, and at the Perkins place, on the Savannah and Adamsville road, for the west side of the river. The little boys even got to meeting regularly and drilling as best they knew with wooden guns and swords, and oftentimes they would have sham battles, in which one party would represent Yankees and the other Rebels. The place selected for these sham battles was on some rocky hill where the boys could have access to munitions without much trouble.

In the summer of 1861 a grand barbecue was

given to aid the Southern cause at Shady Grove Church, two miles west of Saltillo. The orator on that day, in a lengthy speech, greatly entreated the young men to enlist and fight for the "Sunny South," and oftentimes he would unfurl to the breeze the "stars and bars" amid loud cheering by the multitude. After speaking there was a call for volunteers, and at the same time the few who had previously enlisted paraded on their horses around the old camp-meeting arbor, with small flags attached to their horses' heads. There was many a youth on that day, no doubt, who wished that he was a man, so that he could join the then apparent braves. But few of those volunteers lived to see the war closed, and but very few live to-day to tell of their parade and barbecue at Shady Grove Church.

One year after the barbecue the citizens were forced to give up their guns, and men were appointed to receive them at the various precincts, after which they were placed in the care of the colonel of the militia, who examined them, and those that did not fill a certain measure were returned to the owners. The rest were deposited at

Coffee Landing and at Savannah, where they remained until taken by the gunboat.

The next thing to come up was the "draft" in the fall of 1861. Those drafted were posted at Savannah, the county capital, where the little regiment remained until the following February, under command of Col. Crews.

Before leaving home each soldier was ordered to supply himself with a uniform of brown jeans cloth, with a black stripe running up each leg of his pants. Those who were too poor to supply themselves with a uniform received donations from their relatives and friends.

When this regiment was fully organized at Savannah the men received such arms as had been taken from the citizens and stored away there, consisting of small squirrel rifles and double-barrel shot-guns. This little regiment remained at Savannah very pleasantly until the 7th of February, 1862. On that day several steamboats passed up the river at full speed, and all the hailing that could be done would not bring them to land nor check their speed. As one of the boats was passing Savannah, a passenger jumped into the river

and swam ashore, and related the news of the fall of Fort Henry, and said the gunboats were certainly coming. The news spread in all directions very soon, and while some of the citizens were rejoicing, others were trembling with fear, for there had been so many hideous stories told about the Yankees that many didn't know whether they would see human beings or not. Some few persons were foolish enough to believe that a gunboat was like unto some monstrous animal of an amphibious nature, that would devour the people on both the river and the land.

In the summer of 1861 the Confederates commenced building a gunboat at Cerro Gordo, which they named "Eastport." She was about half completed when the workmen received news of the fall of Fort Henry. To keep the Eastport from falling into the hands of the Yankees, preparations were made to sink her as soon as they knew for a fact that the Federal gunboats were coming. A man was stationed on the bluff with his gun, and when the Union boats appeared in sight he was to shoot as a signal for two men to chop a hole in the Rebel boat, and let her sink to be seen

no more. On the evening of February 7th, near the hour of seven, the watchman discovered the Tyler, Lexington, and Conestoga steaming slowly up the river. He fired and the boats returned the fire with two shells, one of which penetrated the ground near the watchman's feet. He fled and the men on the Eastport fled too, without accomplishing their purpose.

The three boats ran up near the Rebel boat and anchored. On the following day they proceeded up the river, captured the citizens' guns stored at Coffee Landing and at Savannah, and returned.

The regiment of Confederates at Savannah did stay to see the gunboats, but left in haste on the night of the 7th for Nashville. From there they went to Corinth, Miss., where they remained a short time, but before the battle at Shiloh they had nearly all deserted and either returned home or joined the Union army. Several of the drafted boys were at home on furlough when the gunboats fired their cannons at Cerro Gordo, and they never tried to catch up with their regiment, but enlisted, some on the gunboats and others in Sherman's army.

In a few days the gunboats left with the Eastport for the Ohio River. She was completed and sent to do service on a river in Arkansas, but it is said she never proved profitable to the Government.

Many of the citizens' guns were returned to them the next trip of the gunboats.

#### THE FEDERAL ARMY MOVES TO SAVANNAH.

On the 10th of March the Federal army began to move from Fort Henry up the Tennessee River. This was a grand sight to the citizens living along the river, and day after day great crowds of men and women assembled on the river bank to gaze at the long line of steamers loaded with the much-talked-of and long-expected Yankees. Many citizens were so excited that they seemed to forget their homes and all the expected dangers of the war, and appeared to be drawn as by some great attractive power to the river, where they would stand and greet the boys in blue with loud hurrahs for the Union and its flag, to which the soldiers on the boats would cheerfully respond.

One division of the army went to Crump's Land-

ing, where it remained till the Shiloh battle, and five divisions stopped at Savannah, where they remained a few days, and then moved to Pittsburg Landing.

Gen. Grant made his head-quarters at the Cherry mansion at Savannah until the Shiloh battle.

## CHAPTER XI.

### THE BATTLE OF SHILOH.

N the west bank of the Tennessee River lies the spot where this great battle was fought, and includes the greater part of the Fifteenth Civil District. (See map.)

On the east side of the battle-field is the river; on the north, Snake Creek; on the west, Owl Creek; and on the south, Lick Creek. The south-west corner of the field is without any boundary, and it was through this pass, which is about three miles wide, that the whole Confederate force moved into battle. The memorable Shiloh Church stood two and a-half miles southwest of Pittsburg Landing, was a log structure, and under control of the Methodists. The soil is poor, and a more unprofitable spot of land, perhaps, could not have been selected in the county suitable for a battle-ground, and with less loss to the county. The ground is not cut up by any streams of account. Only a few small brooks are

to be met with. From the top of the ridge dividing the waters of Snake and Lick Creeks the ground slopes gradually toward said creeks.

Let us now notice the arrangements made for the great approaching battle. We see the Federals, thirty-eight thousand strong, move out toward Shiloh Church and erect their tents. We doubt whether those Union soldiers once thought, as they were moving out from Pittsburg Landing on the 17th of March, that three weeks from then those hills and valleys would be stained with blood and covered with the bodies of four thousand brave men. Here nearly one hundred thousand men were soon to meet in a battle that would destroy the timber and cause the earth beneath to become the last resting-place of four thousand civilized men (?).

The Federal army, numbering about thirty-eight thousand, and composed of five divisions, formed a line on the morning of the 6th reaching from the ford on Owl Creek, *via* Shiloh Church, to the ford on Lick Creek. The division commanders were Sherman, McClernand, Prentiss, Hurlbut, and W. H. L. Wallace. Gen. Grant was over all,

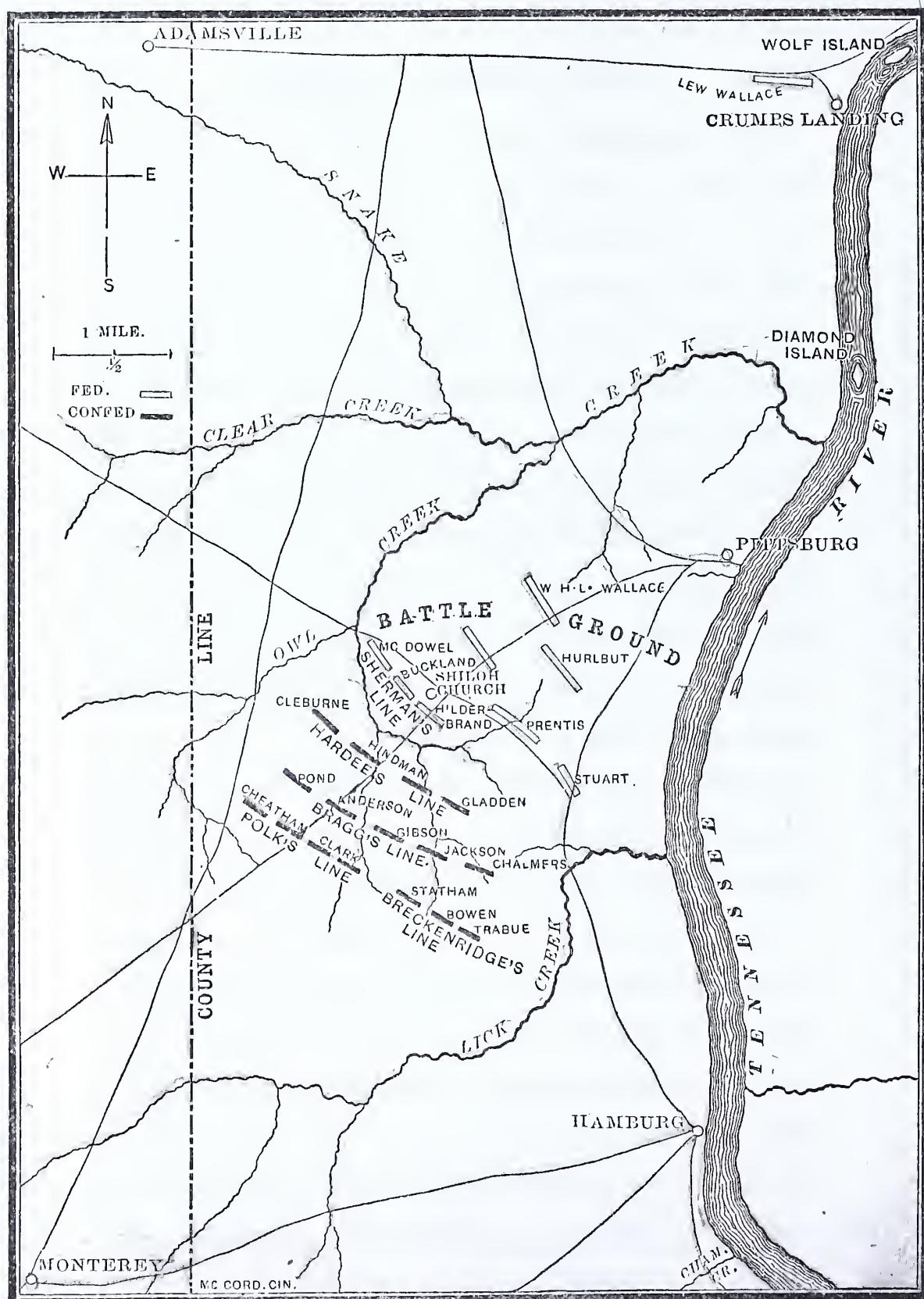
The Confederate force, numbering about forty thousand, left Corinth, Miss., on the 3d of April, but on account of bad roads did not get into position for battle till the morning of the 6th. Gen. Johnston's intention was to capture the Federal army at Shiloh before Gen. Buell arrived with reinforcements. The Confederate army moved into battle early Sunday morning, arrayed in three lines. The first and front line was commanded by Gen. Hardee; the second, by Gen. Bragg; and the third, by Gens. Polk and Breckinridge. Gen. Johnston was chief commander and Gen. Beauregard was second in command.

In this battle neither army was supplied with breastworks, and so it had to be an open-field fight, except what protection the timber gave.

The intention of the Confederates was to surprise the Federals in their camps, and so they did. The Yankees were not expecting so large and daring a force upon them at so early an hour in the day.

#### FIRST DAY'S FIGHT.

About six o'clock Sunday morning a charge was made on the Federals while many of them were in



their tents. Soon the battle became general all along the Federal line, and with frightful fury. Here commenced such a scene as Hardin County had never witnessed. With all the fury of maddened desperation eighty thousand combatants hurled themselves against each other. The smoke from the guns arose and spread over the country for many miles in all directions, and crowds of citizens gathered on the distant hills to listen to "the cannon's opening roar."

In this battle neighbor often faced neighbor, brother faced brother, and boys who had been playmates from youth and classmates in school met here to put an end to each other's existence. All day long the battle raged, and every effort was made by the Rebel commanders to carry out Gen. Johnston's orders. While leading a Tennessee regiment in a charge, Gen. Johnston was mortally wounded, and died in a short time. Gen. Beauregard now took command.

About five o'clock in the evening Gen. Prentiss and about two thousand of his men were surrounded and captured, but not without great loss to the Rebels in killed and wounded. The Fed-

erals were forced back until their line extended from Pittsburg Landing west to the mouth of Owl Creek. This was late Sunday evening. The Confederates now advanced in mighty force, and fought as if they intended to drive their enemy into the river or force him to surrender. It was now a critical time with the boys in blue; it was conquer or surrender—no chance to retreat.

The citizens living miles away, who had listened attentively to the roar of cannon from early morn, could tell when this critical moment came by the different sound produced by the shell-guns on the Tyler and Lexington, which, up to this time, had not been used; but now the shells from these boats came whizzing through the timber, exploding in the air and on the ground, greatly terrifying the advancing enemy. The destructive fire from the Federal artillery on the bluff near the river and the preconcerted fire from the infantry soon checked the advancing columns of the Confederates, and they soon fell back to the camps left by the Federals in the morning.

Thus ended the first day's fight. The loss on both sides was heavy. The Confederates had lost

their most daring leader, and the Federals one brave commander, Gen. W. H. L. Wallace.

Sunday night the Federals were reënforced by Gen. Buell's army and Gen. Lew. Wallace's division; and, notwithstanding the heavy rain that night, the Federal commanders got every thing perfected and in readiness for the approaching day.

#### SECOND DAY'S FIGHT.

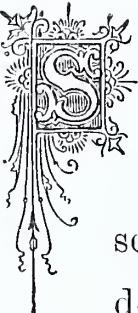
Early Monday morning the two armies approached each other for a final struggle, and the scene was nearly equal to the one on the previous day. At times the Confederate columns seemed determined to hold their ground, but the boys in blue faced the cruel tempest with courage and determination, until finally in the afternoon the Confederates retreated toward Corinth, Miss.

The Federal loss in this battle was 1,735 killed and 7,882 wounded. The Confederate loss has not been, as yet, correctly ascertained, but thought to be about 1,800 killed and over 8,000 wounded.

Thus ended a bloody battle, one in which the carnage was so great that the battle-field is commonly called "*Shiloh's dark and bloody ground.*"

## CHAPTER XII.

### AFTER THE BATTLE.

O anxious were citizens living for many miles around the battle-field to learn the result of the battle, and be ready to search for a brother or friend among the dead or wounded, that many set out on the morning of the 7th, and assembled at Savannah, Crump's Landing, and other places near by, and on Tuesday men could be seen searching among the dead for a lost brother or son.

Several days after the battle a widow lady came from one of the Eastern cities to search for the grave of her son, who was said to be among the slain. His grave had been marked by a soldier, who wrote the boy's name on a piece of board and placed it at the head of the grave. After searching several days the mother found it. She signalled with her handkerchief to some soldiers who were aiding in the search, and were some distance away, and then fell on her knees with her arms over the little mound of earth.

One gentleman who was permitted to ride over the battle-field on the day following the battle in search of his brother, who was supposed to be among the slain, describes the scene to us as being a sad one. Says he: "In many places I saw dead men lying so thick that I could have walked on them for some distance without touching the ground, and in a few places the dead were so thick that they appeared to me to be in heaps. Often dead bodies were seen lying across each other."

"O who the woes of war can tell,  
And paint its horrors true and well?"

Among the many who fell on the Federal side was little Henry Park, the drummer-boy. Some soldier who, perchance, viewed the dying scene of this brave boy, penned the following lines shortly after the battle, entitled

#### THE DRUMMER-BOY OF SHILOH.

On Shiloh's dark and bloody ground  
The dead and wounded lay:  
Among them was a drummer-boy,  
Who beat the drum that day.

A wounded soldier raised him up—  
His drum lay by his side

He raised his eyes and clasped his hands,  
And prayed before he died:

"Look down upon this battle group,  
Though there are heavenly friends,  
Have mercy on our sinful souls."

Each soldier cried, Amen.

"Look down upon this battle-field"—  
Each brave knelt and cried,  
And listened to the drummer-boy,  
Who prayed before he died.

"Dear mother," cried the drummer-boy,  
"Look down from heaven on me;  
Have mercy on our sinful souls,  
O take me home to thee!"

"I love my country as my God,  
To serve them both I've tried."

He raised his eyes and clasped his hands,  
And prayed before he died.

"Dear mother," cried they like a child—  
Stout hearts were they, and brave;  
The flag, it was his winding sheet—  
They laid him in his grave.

One wrote upon a simple board—  
These words are for a guide—  
"To all who mourned the drummer-boy  
Who prayed before he died."

Angels round the throne of grace,  
Look down upon the brave,  
Who fought and died on Shiloh's plains,  
Now slumb'ring in the grave.

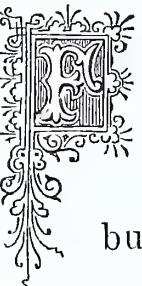
There's many a home made desolate,  
There's many a heart made sigh,  
There's many like the drummer-boy,  
Who prayed before he died.

For months after the battle great crowds of citizens visited the field. Many carried provisions, camped, and staid for days viewing a sight they had never seen before, and we hope will never be seen again in this great Republic of ours. This was a silent place to visit all alone, for no living thing was to be seen, except great numbers of house cats, creeping silently about here and yonder. The buzz of a fly could be heard occasionally, but the sweet song of the birds was silent as the moldering braves. The timber was cut down, and much of it torn into shreds, as if a tornado had swept through the forest.

“This field of carnage lowly lies,  
On Tennessee’s west verdant shore;  
It points us back, with tearful eyes,  
To scenes of strife, of blood, and gore;  
Tells us where the striving brothers  
Of our own blessed country met;  
O the grief the heart now smoothers—  
Just think, the earth with blood was wet!”

## CHAPTER XIII.

### CLOSE OF THE WAR—NATIONAL CEMETERY.

ROM the Shiloh battle until the close of the Rebellion the citizens were disturbed but very little by regular troops, but armed bands that shunned the regular army created confusion now and then.

The river being protected by gunboats, enabled the needy citizens to procure supplies from the North until the war was over. In order to get what he wanted, a man had to prove to the Federal authorities that he had been loyal to the United States during the war. Before this the people had to manufacture their own clothing as best they could, and use wheat in the place of coffee.

In the spring of 1865 the news of Gen. Lee's surrender to Gen. Grant on the 6th of April was received. The people knew now that the Rebellion was about over, and of course there was some rejoicing. It was not long until peace was pro-

claimed, and the soldiers that had escaped death began to return home to leave no more for the battle-field. The dark cloud of war that had overshadowed the Nation had disappeared, it was hoped, to rise no more.

The county now presented a different appearance to what it did in 1860; in fact, it almost seemed like a new county. The four years of war had caused small game to become plentiful; even the deer and turkey, that were scarcely seen before the war, were numerous in places. The catamount screamed occasionally, and the black bear was to be seen now and then. As soon as it was known that a man could hunt without being molested, the hollow trees were robbed of their old rusty guns, and then there was such a killing of game as had not been known since the first settling of the county.

Notwithstanding the people seemed rejoiced at the news of peace, the war had left a stain that a century could not remove. There was a hatred between citizens that seemed destined to last as long as time, and then the morals of the people had been greatly debased from what they were be-

fore the war. Common schools had nearly been forgotten, and many a child had grown up without even the knowledge of a school-house.

If some one had told the people at the commencement of the war of what they would have to endure and of the condition of the county at the close, he would have been scorned at and called a fool. During that dreadful time it was a common thing to see the ladies filling the places of their husbands or brothers at the plow-handles. But few owned a horse, and most of the plowing was done with oxen.

Most of the church, school, and gin-houses were burnt long before the close of the war, but it was not long after peace was made until improvements began rapidly.

The news of peace was received by the people as joyful tidings—more joyful than if the horrors of the war had been less than they were. But it was a hard matter to rejoice much or long at a time, for much of the sad effect of war was still visible, especially to the farmers. Instead of wealth and prosperity existing as before the war, the county bore a sad appearance. The farms that

in 1860 looked beautiful and full of life were now much overgrown with bushes and briars, and, of course, looked desolate to the spectator who viewed them before the Rebellion. The fencing was much decayed, torn down, and in many places had been burned up by passing armies.

As soon as the civil law was declared in force lawsuits began between citizens for property taken, and for other damages done, during the war. These suits lasted only a few years, and are now nearly forgotten, as they should be, by citizens living in the same county, and working for their own good, and desiring the happiness and the friendship of others around them.

#### NATIONAL CEMETERY.

On the bluff at Pittsburg Landing is now the beautiful cemetery, within whose walls sweetly rest the bodies of the Federal slain. The first thing that attracts the eye of the visitor on entering this city of the dead is the beautiful little grave, the last resting-place of Henry Burk, of whom we have already spoken.

The following lines, written by a gentleman who

visited this spot several years ago, are very well addressed to the many who go every year to gaze on this silent city:

“Tread softly o'er those sacred streets,  
    Pausing once to place a flower  
O'er one whose life and all its sweets  
    Yielded to battle's power.  
Sweetly reposing here lies one,  
    And beside him rests another;  
This, a fond mother's only son,  
    That, a tender sister's brother.”

Those who fell in defense of the Union lie here properly honored, but how is it with those who fell on the opposite side? Out yonder beneath the forest's shade lie the moldering bodies of two thousand brave men without a tombstone to mark their last resting-place. Their graves, like the cause they fought to sustain, are lost, lost!

We will now close our history of that war whose horrors were so great that “no tongue can tell, no pen describe them as they were.”

## PART THIRD.

---

### Physical Geography.

---

#### CHAPTER XIV.

##### THE COUNTY IN GENERAL — ANCIENT EARTHWORKS.

ARDIN COUNTY'S physical features will be noticed in this chapter.

The length of the county from north to south is about thirty miles, and its greatest width, from east to west, about twenty-one. It is bounded on the east by Wayne; on the north by Decatur and Henderson; on the west by Chester and McNairy; and on the south by Tishamingo County, in Mississippi, and Lauderdale County, in Alabama. It will thus be seen that no less than seven different counties touch the borders of Hardin. No county in the State is bounded by so many.

By reference to a geological map of Tennessee, you will find that Hardin County lies mostly in the sixth natural division of the State, known as the Western Valley, or the Valley of the Tennessee River. The depth of this valley below the highlands that bound it on the east is about five hundred feet, and below the highlands on the west it is about three hundred feet. The high-water level at Hamburg is three hundred and ninety-two feet above the sea.

Hardin contains six hundred and ten square miles, and is divided into sixteen civil districts, and these into seventy-five public school districts. By reference to the map you will see that some districts are much cut up by creeks, while others are nearly destitute of any streams. It will thus be seen that no less than five creeks cross the Thirteenth District, while the Fifteenth has but one running through its north-west corner.

From the Tennessee River many wide valleys run out and extend beyond the limits of the county. Those of Indian and Hardin's Creeks on the east and White Oak Creek on the west are the longest. The valleys of Indian, Har-

din's, and Horse Creeks are the richest in the county. The land within them is generally occupied, and is in a good state of cultivation. The creek valleys on the west side of the river are not so fertile as those on the east, being too much of a clayey nature—too low and wet for nice farming. The valley of White Oak Creek is very large, and has some good farming land in it, but the farmers are often much troubled in the spring and fall by the backwater from the river, which sometimes runs up the creek beyond the limits of the county.

The Tennessee River enters the county on the south and runs a winding course, curving toward the west, until it reaches Cerro Gordo; from there its general course is north to Point Pleasant; from here it runs for several miles in a north-east direction, forming the line between Hardin and Decatur.

The most noted bluffs on the river are Pyburn's, in the southern part of the county, named after the man who first settled there; Coffee Bluff, near Coffee Landing, named from the coffee sand, of which it is principally composed; and Swallow Bluff, below Point Pleasant, on the Decatur side,

was so named from the great number of swallows that inhabited the rocky structure. There are only four islands in the river in this county—Diamond, which was so named from its shape; Wolf, named after a man by that name; Delaney's, named after Jacob Delaney, who once owned it; and Eagle-nest, named for the steamboat that sunk near it. This island was called James's Island until after the Eagle sunk near it.

It is thought that the Tennessee River occupied a different channel in places to what it does now, as sign of an old river bed is plainly marked out in places by the long and wide ponds on both sides of the present channel. At one time far back in the past the river, no doubt, left the present channel at the foot of Coffee Bluff, and ran near the highlands on the west till it reached the bluff above Craven's Landing; then in a northern direction, near the hills on the west side, to near the mouth of White Oak Creek; then turned north-eastward and edged the highlands on the east side, and entered the present channel below Point Pleasant; or it followed along the highlands to where Laden's mill now stands, and then down

the present channel of Indian Creek. The large ponds formed by this old river bed are being drained of late years by means of ditching and tiling, and where once stood large bodies of water is now the richest land in the river bottom.

The general course of the larger creeks on the east side of the river is nearly north-west, while on the west side they run nearly due east to the river. The largest creek on the west side is White Oak. It was so called on account of the vast amount of white oak timber along the stream. This little river is formed by the junction of Little White Oak and a large creek coming down from the north, called Middleton's Creek, which was named after John Middleton, who was the first to settle near it. The creeks on the west side of the river are generally muddy and their currents slow, and do not appear so swift and beautiful as those on the opposite side. Snake Creek, which runs zigzag around the north side of the great battle-ground, and into the river at the head of Diamond Island, was, perhaps, named from the great number of snakes killed on it during the first settling of that part of the county. Lick Creek, which

bounds the great battle-ground on the south, was named from the deer-licks in its bottoms. Chambers's Creek, dividing the Ninth and Tenth Districts, was named after John Chambers.

Passing over to the east side of the river, we find Hardin's Creek, which was named after one of the first settlers, Col. James Hardin; and Indian Creek, so called by the Indians; and Swift Creek, so called on account of its swift current. This stream is now called Horse Creek, and received that name in the year 1820 from a number of horse thieves being caught near it.

The eastern part of the county is quite different in appearance and formation from the western part, being underlaid mostly with limestone. The uplands to a great extent are very broken, being cut up by high hills, between which lie deep and almost perpendicular hollows, at whose heads burst forth beautiful and never-failing springs.

The western part of the county is not so broken as the eastern, except in the southern part, in the Ninth and Tenth Districts, where the hills appear almost like mountains.

The uplands on the east side of the river are

generally too broken for convenient farming, but the valleys of Indian, Hardin's, and Horse Creeks, and the Tennessee River bottom, furnish an abundance of fine farming land, adapted to the raising of corn and wheat, but not so well for cotton as the western part of the county. The surface of the western part is much more level than the eastern. The soil is not only adapted to corn and wheat, but is very well suited to cotton.

When we come to examine the formations of the two divisions of Hardin, we find quite a difference. The western part is composed almost wholly of sand and clay, and a limestone rock is seldom seen. The formation of the east side of the river is principally limestone.

There are, perhaps, more fine springs in the eastern part of the county than in the western part, but they do not furnish so great a variety of water. In passing over the western part of the county we find plenty of wells and springs of copperas, freestone, and sulphur water. One of the largest sulphur fountains in the county is one mile south-west of Saltillo. It is about eight hundred feet deep, and is called the "Sulphur Well." The

flow of water from this spring is sufficient to make a considerable brook.

At this place is a large "deer lick," and the Kanawha Salt Company, examining this place many years ago, decided that the salt found on the top of the ground at this lick came from underneath, and by boring down salt water could be found; so they hired a man by the name of Windsor to work until he found salt water. Work was begun in the year 1835, and continued for two years, or until Windsor died. He was to work at fifty dollars a month till he found salt water, if it took his life-time. When Windsor died the work stopped, and the well is now only used as a place of summer resort for the young folks. Perhaps nothing of importance will ever be carried on at this well, as it is near enough to be overflowed by the backwater of the river at its highest stage.

The Gan Spring, near Saltillo, was once a great place of amusement for young folks. This spring is about seven feet in diameter, and furnishes a large supply of water. Several years ago, if a fence-rail was cast into it, instead of being thrown up, it was drawn downward, and seen no more. This

drawing downward is, perhaps, caused by a large underground stream with which the spring is connected. This is clearly proven from the fact that near the mouth of the spring branch, when the river is very low, you can see a large spring out in the river casting up water and sand.

In the Ninth District are some very noted springs called the White and Red Sulphur Springs. This is a beautiful place for summer resort, the ground being covered principally with flint-rocks.

Over the western part of the county many semi-artesian wells are to be met with. These are only to be found where it is necessary to go below the green sand-bed to get good water. In boring these wells many curiosities are met with in going through the two great sand formations that underlie West Hardin. By examining the bluffs at Coffee, Crump's, and Pittsburg Landings, one can get a grand view of these two sand layers. The lowest of the two formations is the coffee sand, which contains scales of mica, sometimes woody fragments, converted more or less into lignite, or brown coal; and even trunks of trees are often met with in digging deep wells. Above this for-

mation lies the green sand, or shell-bed, which contains great numbers of fossils and grains of a greenish mineral. Sometimes wood and leaves are seen, but not so abundantly as in the coffee sand.

When we come to examine the geological structure, we find quite a difference between East and West Hardin. The sands and clays of West Hardin do not extend to any considerable extent east of the Tennessee River. West Hardin lies in that great trough where once existed the ancient ocean, with one of its rocky sides far over in Arkansas and the other now washed by the Tennessee River. That such an ocean did exist there can be but little question. It is thought to have extended as far north as the mouth of the Ohio River, and that by the gradual upheaval of the land, and the subsequent retiring of the sea, this arm of the ancient ocean was finally covered by the waters of the Mississippi River. Then were deposited the sand, gravel, clay, and loam that are to be seen in West Tennessee. It was during that period that the shells, woody fragments, and trunks of trees were deposited in the coffee sand and shell-bed forma-

tions, of which we have already spoken. The great gravel bed of West Hardin extends only for a few miles west of the river, near enough to the surface to be met with in digging ordinary wells, but the green and coffee sand beds spread out for miles west and north-west through the county. The eastern limit of the green sand bed is on a line from the foot of Coffee Bluff north across White Oak Creek to the north boundary line of the county. What we mean by this eastern limit is that the green sand is near enough to the surface to prevent good water being obtained when it is necessary to dig or bore to a depth of from forty to fifty feet.

As we have already said, many curiosities are found in this great sand bed in digging deep wells. Sometimes quantities of shells, woody fragments, and even large logs, are met with from forty to sixty feet under ground. In one well, among the many containing curiosities that we have examined, water was struck about sixty feet from the surface in what appeared to be a bed of logs and limbs of trees. Just how this timber became located at such a depth has been a great puzzle to

those who do not understand the history of the formations of West Tennessee.

No limestone of account is seen west of the river, except in the Ninth District. The hills and valleys of the Thirteenth District are almost destitute of rocks of any kind. The gravel bed is plainly seen on Miles's Branch, west of Saltillo, but occurs no more west of here in the Thirteenth District.

The upland lying in the eastern portion of the Twelfth District is level, and would be the nicest spot for farming in the county if the soil was productive. But the river bottom that lies around this district furnishes abundance of fine land to the farmers who dwell on this level region. The western portion of this district is broken and cut up by small streams, along which lie excellent farming lands. The hills, many of them, are covered with small gravel.

As we travel south from the Twelfth District we find the country somewhat broken—the good land lying in the river, creek, and branch bottoms. After crossing Lick Creek we find the Tenth and Ninth Districts the most hilly portion on the west

side of the river; and here we find a different formation, a formation which properly belongs to the opposite side of the river. Here is to be seen the lower Helderberg formation, which consists of a fossiliferous bluish limestone. This formation lies below the coffee and green sand beds, of which we have already spoken, and it is from the rocks of this formation, and from the black shale formation, that sometimes lie just above, that sulphur water flows—that is, water impregnated with sulphuretic hydrogen gas.

Looking back over the western part of the county, we see that the soil on the uplands, as a general thing, is not so productive as the river and creek bottoms, but that much of it lies in a shape to be easily improved.

Let us now cross over to the east side, near the State line, and examine the eastern part of the county.

Here we find the Eighth District containing a similar formation to the Ninth—the hills are high and the rocks flinty. Dry Creek rises in the eastern part of this district, runs for several miles in a western direction, until it strikes a high hill,

where it sinks into a large cave, and is seen no more till it flows out on the opposite side of the hill, near the town of Walnut Grove, forming the Big Spring. If we travel in a northern direction from the Eighth District, we find the country continues hilly, and between many of the hills lie deep and almost perpendicular hollows. The beds of the creeks and branches are rocky, and great formations of gray and blue limestone appear now and then in the bluffs on the creeks and sides of the hills.

A few miles east of Savannah, on a small stream, is a fine outcrop of hydraulic limestone, which, by being exposed to water, has the appearance of black shale. This formation lies below the Helderberg, and it is from this rock that hydraulic cement is made. This formation appears very prominent at several places on Horse and Indian Creeks and near the town of Clifton. On Indian Creek, at Laden's mill, is quite a bluff of this rock, and before the war a company rented this mill and manufactured cement for some time.

The eastern part of the county has plenty of good building stone, but up to the present time

but little use has been made of it. The most noted beds of marble occur on the river north of Savannah, and on Hardin's Creek, near the crossing of the Savannah and Clifton road.

In the valleys of Indian and other creeks we find the blue limestone predominating, and in the bluff at Savannah appears the meniscus, or fossiliferous limestone, which lies below the Helderberg. The rich lands lying in the creek bottoms of Indian, Hardin's, and Horse Creeks are based principally on this formation.

In the north-east corner of the county are many bald hills, or more commonly known as "bald knobs," which are destitute of vegetation, and are covered with oyster-like shells and petrified bodies of insects.

On the tops of many of the high ridges the soil is red, and is often mistaken for the poorest soil in the county, but it is far from it. The soil is colored by the iron in the rocks. This red soil is generally very productive, and is to be seen not only on the east side of the river, but spots of it occur on the west side, in the Twelfth District.

## TIMBER.

The forest of Hardin has a greater variety, and perhaps more valuable timber, than any county in the State. There are as many as six species of oak, viz., the white oak, red oak, black oak, willow oak, chestnut oak, and post oak. The white oak grows principally in the Tennessee River bottom and the large creek bottoms, and is converted extensively into staves, and of late years much is being rafted and carried down the river to Paducah and other northern cities. The hickory is very plentiful in the large bottoms, from which the ax-handle factory at Clifton is supplied. The cypress is used very extensively for well-curbing and shingles. The pine forest extends over nearly the whole of the Third District and the northern part of the First and Second. This forest furnishes the county with plenty of timber for pine lumber. The other varieties are the cedar, the chestnut, elm, persimmon, sugar and other maples, poplar, sassafras, black walnut, birch, beech, and ash.

## WILD ANIMALS.

In the first days of civilization this part of the State was well stocked with wild animals, but now

the larger ones are not to be seen, except occasionally a deer or a bear passes through. The panther, wild cat, and wolf have long since disappeared, and now only the gray and red fox, raccoon, opossum, muskrat, rabbit, squirrel, mink, otter, and beaver can be seen. The latter lives in the river bottom, where he builds his house of wood and mortar across the large ponds or old river bed.

## BIRDS.

The wild turkey—the hunter's choice bird—is found in some parts of the county, but as a general thing they are scarce. Wild ducks are numerous in the winter season in the river and large creeks. Hawks, owls, whip-poor-wills, blue-birds, snipes, crows, mocking-birds, partridges, robins, martins, and black-birds are still numerous. There are not so many black-birds now as at the close of the civil war; then they were very plentiful, and a great pest to the farmer. At an early day a small bird, called the paroquet, visited this part in great numbers in the spring season, and subsisted on cockle-burs, but it has been many years since their last visit.

## FISH.

The river and creeks in Hardin abound in fine fish, such as the cat-fish, trout, perch, pike, eel, and buffalo. No county in the State, except Lake, is so plentifully supplied with fish as Hardin. The principal way of procuring them is by means of traps in the creeks and trout-lines and nets in the river.

## DOMESTIC ANIMALS.

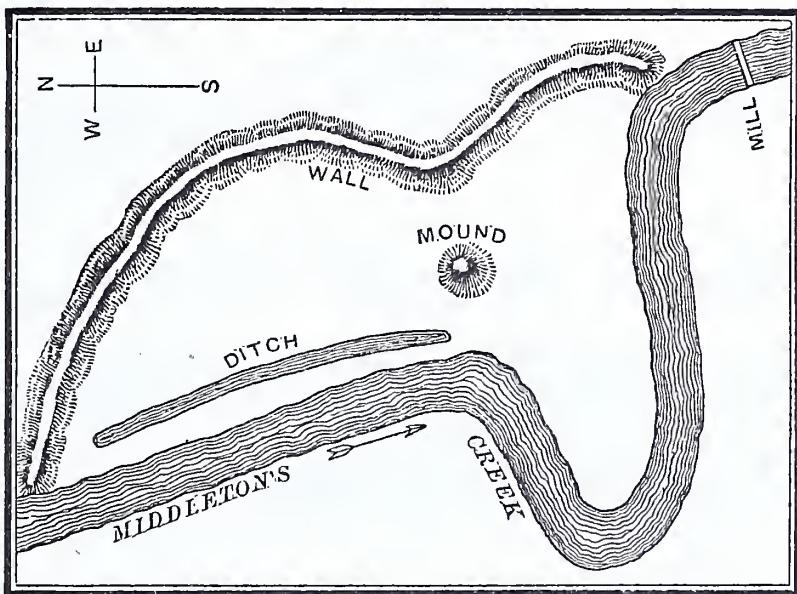
Stock-raising promises to be a profitable occupation in the county. Horned cattle, horses, mules, and hogs are the most important. Sheep-raising could be made profitable, but it has been much neglected of late years on account of the laws not being sufficiently stringent to protect sheep from the ravages of the dogs.

## ANCIENT EARTH-WORKS.

Hardin County, doubtless, has more signs of an ancient people than any county in the State. All over the western part of the county little mounds and walls of earth meet the traveler's eye.

On the east side of Middleton's Creek, a short distance north of Baker's mill, is a wall of earth

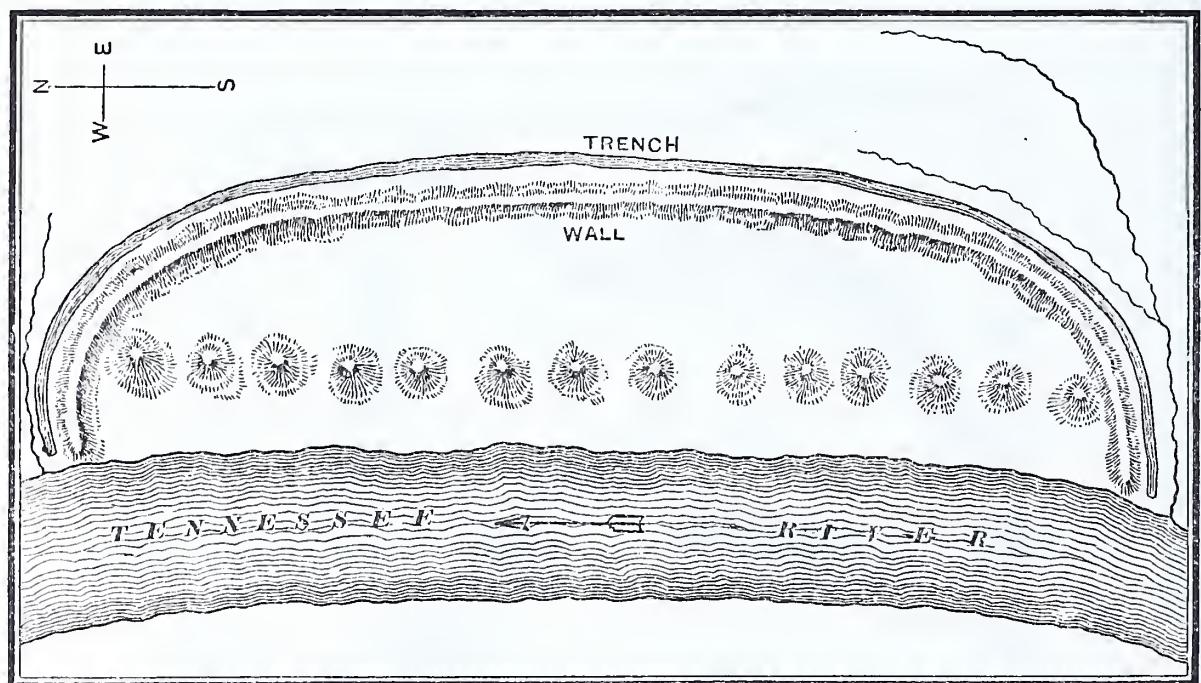
four hundred and fifty yards in length. It commences at the creek, near the mill, and curves around northward to the creek again, taking in about four acres of land, on which stands a mound covering about half an acre of ground, and rising eighteen feet above the level of the field. Be-



tween the wall and the creek is a trench, plainly to be seen, from where the earth was taken to build the mound and wall. The wall at its north end is about fifteen feet in height, but diminishes in elevation as it approaches the creek near the mill, where it is barely traceable. The mound at this fortification has been thoroughly examined,

and found to contain a vast amount of human bones; in fact, the mound appears to have been almost made of human bodies.

Near Hester's mill, in the north-west corner of the county, are some considerable earth-works.



Several years ago an oval-shaped piece of lode-stone was taken from one of the mounds at this place. It is about the size of a hen-egg, and so nicely dressed that when suspended by a string one of its ends points north and the other south.

A short distance below Savannah, in the river bottom, are several mounds and much sign of the

ancient builders. But the most remarkable fabrics of that pre-historic race are on the east bank of the river, where Savannah now stands. At this place a ridge of high land makes to the river between two ravines, the mouths of which are nearly one mile apart. A line of fourteen mounds runs parallel with the river from one ravine to the other, some of them covering half an acre of ground, and rising from ten to thirty feet above the common level. These mounds stand back about seven hundred feet from the turn of the bluff, and are of different sizes, the largest and tallest occupying a position near the middle of the line. A zigzag wall of earth, accompanied by a deep trench, commences at the mouth of one ravine and curves around to the mouth of the other, taking in the mounds and a considerable amount of country back of them. Several years ago, while a citizen of Savannah was examining one of these mounds, he found a copper wedge and eight copper pulleys. The wedge is about four inches long and half an inch at the thicker end, and the wheels of the pulleys are about an inch and a-half in diameter and one inch thick. Here certainly

was a city of the Mound Builders. The wall, perhaps, was erected for purposes of self-defense and the mounds for watch-towers or houses. Some think that here was the Indian town where De Soto stopped for several months while on his way to discover the "Father of Waters," and that he left the wedge and pulleys, and the Indians buried them in the mound. This supposition may be true, but we have no history telling us that De Soto went as far down the Tennessee River as Savannah.

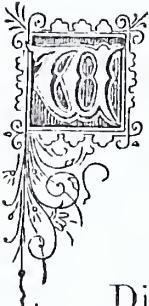
As far as we have examined the mounds in this county, we find that many of them contain charcoal in the center of their base. This causes some to believe they were thrown up for places of habitation. Whether this be true or false, we cannot tell. Some think the bones found in these mounds were deposited by the Mound Builders. This we cannot believe, from the fact that the bones found in many of them are in too good a state of preservation to be contemporary with the mounds. They certainly were deposited by the present race of Indians.

"Who were the Mound Builders?" is a question that has not yet been answered. And scienc-

tific men have so far failed to tell us for what purpose these fabrics were erected. The oldest Indian cannot tell. He says they were here when he came. These ancient people have disappeared and left nothing but mounds and walls of earth for us to guess at the time of their habitation in this country.

## CHAPTER XV.

### CONCLUDING REVIEW.

E will now close our view of the leading incidents in the history of Hardin County. We began with the first settlement at the Altum Spring, in the First District, in the summer of 1861, and will now close with a view which exhibits the county in 1880, with a total population of 14,969, divided among the sixteen Civil Districts as follows: First and Second, 1,344; Third, 1,051; Fourth, 2,659; Fifth and Fourteenth, 970; Sixth, 1,373; Seventh, 570; Eighth, 970; Ninth and Tenth, 1,191; Eleventh and Sixteenth, 1,128; Twelfth, 1,483; Thirteenth, 1,645; Fifteenth, 585. Of the total population, 12,775 are white, the remainder colored; and 7,334 are males and 7,459 females. The average population per square mile is 24. The total number of inhabitants in Savannah at this date was 993, and in Saltillo 250.

Only two of the first settlers are living at this

date to tell the tale—one at the age of 82 and the other at the age of 70.

There are 413 persons in the county who are 60 years old and over, and two over 100 years.

The scholastic population of the county in 1883 was 6,247. Of this number 5,419 are whites and 828 are colored. During this year (1883) certificates of qualification were issued to 78 white teachers and 19 colored teachers. In 1840 the total white population was 7,910; in 1850 it was 9,040; in 1860 it was 9,600, and in 1880 it was 12,775. The colored population in 1840 was 330; in 1850, 1,288; in 1860, 1,650; and in 1880, 2,018.

The census report for 1880 shows that in the year 1879 there were 72,446 acres of land cultivated in the county; and of this number, 12,859 acres were in cotton, which yielded 5,345 bales; and 30,909 acres in corn, which yielded 799,739 bushels; and 3,387 acres in oats, which yielded 35,620 bushels; and 5,445 acres in wheat, which yielded 29,248 bushels. By comparing the above with the report of the county in 1850, we find quite an increase in the amount of produce raised in the county then and in 1879.

Let us now notice the improvement made in two of the largest towns since they were founded. The town of Savannah has a different appearance to what it did in 1821. Instead of gum-pole cabins, we see many fine buildings. This town has ten retail stores, two drug-stores, two hotels—the East Hotel, near the public square, and the Kendal House, near the river, which was built by John Kendal, a son of the first hotel-keeper in the county. Instead of the gam-log court-house of 1832, we see a ten-thousand-dollar brick building; and in the eastern part of town is the Female College, a commodious brick building.

When we return to Saltillo we find it has risen to a beautiful little town of nearly three hundred inhabitants, and has several nice buildings. We see a large framed Male and Female Academy, one hotel, Masonic Hall, Presbyterian Church, one drug-store, and eight retail dry-goods houses. More cotton and staves are shipped annually from Saltillo than from any town in the county.

Several villages have appeared in the last few years, such as Walnut Grove, in the southern part; Loweryville, on Horse Creek; Olive Hill, on Lu-

dian Creek; Shilohville, in the southern part; New Town, a mile east of Savannah, containing a population of several hundred colored people; and Sibley, in the Twelfth District, is another negro town. In each of the colored villages a regular school is kept up during the year, and well-trained teachers are employed. As a general thing, the colored people all over the county are making rapid progress in education.

Kind reader, you have now seen how the cane-brakes disappeared; how the wild hunting-grounds of the savage have been changed into fields of profit in the space of sixty-nine years by the hand of civilized man. You have seen our county for forty-five years rise to the eve of great prosperity, then suddenly convulsed by a mighty Rebellion that spread desolation far and wide and stained the fields with blood; and we have seen the county struggling upward from that war for twenty years, which brings us to the present time.

Now we must close our History of Hardin County. Hoping that the progress made in the future may be as great as in the past, we bid you a kind good-by.



# APPENDIX.

---

## CONSTITUTION OF THE STATE OF TENNESSEE.

---

WE, the Delegates and Representatives of the people of the State of Tennessee, duly elected, and in Convention assembled, in pursuance of the act of Assembly, have ordained and established the following Constitution and form of government for this State, which we recommend to the people of Tennessee for their ratification: that is to say—

### ARTICLE I.

#### DECLARATION OF RIGHTS.

SECTION 1. That all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety, and happiness; for the advancement of those ends they have, at all times, an unalienable and indefeasible, right to alter, reform, or abolish the government in such manner as they may think proper.

SEC. 2. That government being instituted for the common benefit, the doctrine of non-resistance against arbitrary power and oppression is absurd, slavish, and destructive of the good and happiness of mankind.

SEC. 3. That all men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience; that no man can, of right, be compelled to attend, erect, or support any place of worship, or to maintain any minister, against his consent; that no human authority can, in any case whatever, control or interfere with the rights of conscience; and that no preference shall ever be given, by law, to any religious establishment or mode of worship.

SEC. 4. That no political or religious test, other than an oath to support the Constitution of the United States and of this State, shall ever be required as a qualification to any office or public trust under this State.

SEC. 5. That elections shall be free and equal, and the right of suffrage, as hereinafter declared, shall never be denied to any person entitled thereto, except upon a conviction by a jury of some infamous crime, previously ascertained and declared by law, and judgment thereon by a court of competent jurisdiction.

SEC. 6. That the right of trial by jury shall remain inviolate, and no religious or political test shall ever be required as a qualification for jurors.

SEC. 7. That the people shall be secure in their persons, houses, papers, and possessions, from unreasonable searches and seizures; and that general warrants, whereby an officer may be commanded to search suspected places, without evidence of the fact committed, or to seize any person or persons not named, whose offenses are not particularly described and supported by evidence, are dangerous to liberty, and ought not to be granted.

SEC. 8. That no man shall be taken or imprisoned, or disseized of his freehold, liberties, or privileges, or outlawed, or exiled, or in any manner destroyed, or deprived of his life, liberty, or property, but by the judgment of his peers or the law of the land.

SEC. 9. That in all criminal prosecutions, the accused hath the right to be heard by himself and his counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face; to have compulsory process for obtaining witnesses in his favor; and in prosecutions by indictment or presentment, a speedy public trial by an impartial jury of the county in which the crime shall have been committed, and shall not be compelled to give evidence against himself.

SEC. 10. That no person shall, for the same offense, be twice put in jeopardy of life or limb.

SEC. 11. That laws made for the punishment of acts committed previous to the existence of such laws, and by them only declared criminal, are contrary to the principles of a free government; wherefore no *ex post facto* law shall be made.

SEC. 12. That no conviction shall work corruption of blood or forfeiture of estate. The estate of such persons as shall destroy their own lives shall descend or vest as in case of natural death. If any person be killed by casualty, there shall be no forfeiture in consequence thereof.

SEC. 13. That no person arrested and confined in jail shall be treated with unnecessary rigor.

SEC. 14. That no person shall be put to answer any criminal charge but by presentment, indictment, or impeachment.

SEC. 15. That all prisoners shall be bailable by sufficient sureties, unless for capital offenses, when the proof is evident or the presumption great. And the privileges of the writ of *habeas corpus* shall not be suspended, unless when, in case of

rebellion or invasion, the General Assembly shall declare the public safety requires it.

SEC. 16. That excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

SEC. 17. That all courts shall be open; and every man, for an injury done him in his lands, goods, person, or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial, or delay. Suits may be brought against the State in such manner and in such courts as the Legislature may by law direct.

SEC. 18. The Legislature shall pass no law authorizing imprisonment for debt in civil cases.

SEC. 19. That the printing presses shall be free to every person to examine the proceedings of the Legislature, or of any branch or officer of the government; and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions is one of the invaluable rights of man, and every citizen may freely speak, write, and print on any subject, being responsible for the abuse of that liberty. But in prosecutions for the publication of papers investigating the official conduct of officers or men in public capacity, the truth thereof may be given in evidence; and in all indictments for libel the jury shall have a right to determine the law and the facts, under the direction of the court, as in other criminal cases.

SEC. 20. That no retrospective law, or law impairing the obligation of contracts, shall be made.

SEC. 21. That no man's particular services shall be demanded, or property taken or applied to public use, without the consent of his representatives, or without just compensation being made therefor.

SEC. 22. That perpetuities and monopolies are contrary to the genius of a free State, and shall not be allowed.

SEC. 23. That the citizens have a right in a peaceable manner to assemble together for their common good, to instruct their representatives, and to apply to those invested with the powers of government for redress of grievances, or other proper purposes, by address or remonstrance.

SEC. 24. That the sure and certain defense of a free people is a well-regulated militia; and, as standing armies in time of peace are dangerous to freedom, they ought to be avoided as far as the circumstances and safety of the community will admit; and that in all cases the military shall be kept in strict subordination to the civil authority.

SEC. 25. That no citizen of this State, except such as are employed in the army of the United States, or militia in actual service, shall be subjected to punishment under the martial or military law. That martial law, in the sense of the unrestricted power of military officers or others, to dispose of the

persons, liberties, or property of the citizen, is inconsistent with the principles of free government, and is not confided to any department of the government of this State.

SEC. 26. That the citizens of this State have a right to keep and to bear arms for their common defense. But the Legislature shall have power, by law, to regulate the wearing of arms with a view to prevent crime.

SEC. 27. That no soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war but in a manner prescribed by law.

SEC. 28. That no citizen of this State shall be compelled to bear arms, provided he will pay an equivalent, to be ascertained by law.

SEC. 29. That an equal participation in the free navigation of the Mississippi is one of the inherent rights of the citizens of this State; it cannot, therefore, be conceded to any prince, potentate, power, person, or persons, whatever.

SEC. 30. That no hereditary emoluments, privileges, or honors, shall be granted or conferred in this State.

SEC. 31. That the limits and boundaries of this State shall be ascertained, it is declared they are as hereafter mentioned, that is to say: Beginning on the extreme height of the Stone Mountain, at the place where the line of Virginia intersects it, in latitude thirty-six degrees and thirty minutes north; running thence along the extreme height of said mountain to the place where the Watauga River breaks through it; thence in a direct course to the top of the Yellow Mountain, where Bright's road crosses the same; thence along the ridge of said mountain, between the waters of Doe River and the waters of Rock Creek, to the place where the road crosses the Iron Mountain; from thence, along the extreme height of said mountain, to the place where Nolichucky River runs through the same; thence to the top of the Bald Mountain; thence along the extreme height of said mountain to the Painted Rock, on French Broad River; thence along the highest ridge of said mountain to the place where it is called the Great Iron or Smoky Mountain; thence along the extreme height of said mountain to the place where it is called Unicoi, or Unaka Mountain, between the Indian towns of Cowee and Old Chota; thence along the main ridge of the said mountain to the southern boundary of this State, as described in the act of cession of North Carolina to the United States of America; and that all the territory, lands, and waters, lying west of the said line, as before mentioned, and contained within the chartered limits of the State of North Carolina, are within the boundaries and limits of this State, over which the people have the right of exercising sovereignty, and the right of soil, so far as is consistent with the Constitution of the United States, recognizing the Articles of Confederation, the Bill of Rights, and Constitution of North Carolina, the cession act of

said State, and the ordinance of Congress for the government of the territory north-west of the Ohio; *Provided*, nothing herein contained shall extend to affect the claim or claims of individuals to any part of the soil which is recognized to them by the aforesaid cession act; *And provided also*, that the limits and jurisdiction of this State shall extend to any other land and territory now acquired, or that may hereafter be acquired, by compact or agreement with other States or otherwise, although such land and territory are not included within the boundaries hereinbefore designated.

SEC. 32. That the erection of safe and comfortable prisons, and the inspection of prisons, and the humane treatment of prisoners shall be provided for.

SEC. 33. That slavery and involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, are forever prohibited in this State.

SEC. 34. The General Assembly shall make no law recognizing the right of property in man.

## ARTICLE II.

### DISTRIBUTION OF POWERS.

SECTION 1. The powers of the government shall be divided into three distinct departments: The Legislative, Executive, and Judicial.

SEC. 2. No person or persons belonging to one of these departments shall exercise any of the powers properly belonging to either of the others, except in the cases herein directed or permitted.

### THE LEGISLATIVE DEPARTMENT.

SEC. 3. The Legislative authority of this State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives, both dependent on the people, who shall hold their offices for two years from the day of the general election.

SEC. 4. An enumeration of the qualified voters, and an apportionment of the Representatives in the General Assembly, shall be made in the year one thousand eight hundred and seventy-one, and within every subsequent term of ten years.

SEC. 5. The number of Representatives shall, at the several periods of making the enumeration, be apportioned among the several counties or districts, according to the number of qualified voters in each, and shall not exceed seventy-five, until the population of the State shall be one million and a half, and shall never exceed ninety-nine; *Provided*, that any county having two-thirds of the ratio shall be entitled to one member.

SEC. 6. The number of Senators shall, at the several periods of making the enumeration, be apportioned among the several

counties or districts, according to the number of qualified electors in each, and shall not exceed one-third the number of Representatives. In apportioning the Senators among the different counties, the fraction that may be lost by any county or counties, in the apportionment of members to the House of Representatives, shall be made up to such county or counties in the Senate as near as may be practicable. When a district is composed of two or more counties, they shall be adjoining, and no county shall be divided in forming a district.

SEC. 7. The first election for Senators and Representatives shall be held on the second Tuesday in November, one thousand eight hundred and seventy; and forever thereafter elections for members of the General Assembly shall be held once in two years, on the first Tuesday after the first Monday in November. Said elections shall terminate the same day.

SEC. 8. The first session of the General Assembly shall commence on the first Monday in October, 1871, at which time the term of service of the members shall commence, and expire on the first Tuesday of November, 1872, at which session the Governor elected on the second Tuesday in November, 1870, shall be inaugurated; and forever thereafter the General Assembly shall meet on the first Monday in January next ensuing the election, at which session thereof the Governor shall be inaugurated.

SEC. 9. No person shall be a Representative unless he shall be a citizen of the United States, of the age of twenty-one years, and shall have been a citizen of this State for three years, and a resident in the county he represents one year immediately preceding the election.

SEC. 10. No person shall be a Senator unless he shall be a citizen of the United States, of the age of thirty years, and shall have resided three years in this State, and one year in the county or district immediately preceding the election. No Senator or Representative shall, during the time for which he was elected, be eligible to any office or place of trust, the appointment to which is vested in the Executive or General Assembly, except to the office of trustee of a literary institution.

SEC. 11. The Senate and House of Representatives, when assembled, shall each choose a Speaker and its other officers; be judges of the qualifications and elections of its members, and sit upon its own adjournments from day to day. Not less than two-thirds of all the members to which each House shall be entitled shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized by law to compel the attendance of absent members.

SEC. 12. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member, but not

a second time for the same offense; and shall have all other powers necessary for a branch of the Legislature of a free State.

SEC. 13. Senators and Representatives shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest during the session of the General Assembly, and in going to and returning from the same; and for any speech or debate in either House they shall not be questioned in any other place.

SEC. 14. Each House may punish by imprisonment, during its session, any person not a member who shall be guilty of disrespect to the House, by any disorderly or contemptuous behavior in its presence. *#, 219*

SEC. 15. When vacancies happen in either House, the Governor for the time being shall issue writs of election to fill such vacancies.

SEC. 16. Neither House shall, during its session, adjourn without the consent of the other, for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SEC. 17. Bills may originate in either House, but may be amended, altered, or rejected by the other. No bill shall become a law which embraces more than one subject—that subject to be expressed in the title. All acts which repeal, revive, or amend former laws, shall recite in their caption or otherwise, the title or substance of the law repealed, revived, or amended.

SEC. 18. Every bill shall be read once on three different days, and be passed each time in the House where it originated, before transmission to the other. No bill shall become a law until it shall have been read and passed on three different days in each House, and shall have received on its final passage, in each House, the assent of a majority of all the members to which that House shall be entitled under this Constitution; and shall have been signed by the respective Speakers in open session—the fact of such signing to be noted on the Journal; and shall have received the approval of the Governor, or shall have been otherwise passed under the provisions of this Constitution.

SEC. 19. After a bill has been rejected, no bill containing the same substance shall be passed into a law during the same session.

SEC. 20. The style of the laws of the State shall be, "*Be it enacted by the General Assembly of the State of Tennessee.*" No law of a general nature shall take effect until forty days after its passage, unless the same or the caption thereof shall state that the public welfare requires that it should take effect sooner.

SEC. 21. Each House shall keep a journal of its proceedings, and publish it, except such parts as the welfare of the State

may require to be kept secret; the ayes and noes shall be taken in each House upon the final passage of every bill of a general character, and bills making appropriations of public moneys; and the ayes and noes of the members on any question shall, at the request of any five of them, be entered on the journal.

SEC. 22. The doors of each House and of Committees of the Whole shall be kept open, unless when the business shall be such as ought to be kept secret.

SEC. 23. The sum of four dollars per day, and four dollars for every twenty-five miles traveling to and from the seat of government, shall be allowed to the members of each General Assembly elected after the ratification of this Constitution, as a compensation for their services. But no member shall be paid for more than seventy-five days of a regular session, or for more than twenty days of any extra or called session; or for any day when absent from his seat in the Legislature, unless physically unable to attend. The Senators when sitting as a court of impeachment shall receive four dollars per day of actual attendance.

SEC. 24. No money shall be drawn from the treasury but in consequence of appropriations made by law; and an accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws at the rise of each stated session of the General Assembly.

SEC. 25. No person who heretofore hath been, or may hereafter be, a collector or holder of public moneys, shall have a seat in either House of the General Assembly, or hold any other office under the State Government, until such person shall have accounted for and paid into the treasury all sums for which he may be accountable or liable.

SEC. 26. No Judge of any court of law or equity, Secretary of State, Attorney-General, Register, Clerk of any court of record, or person holding any office under the authority of the United States, shall have a seat in the General Assembly, nor shall any person in this State hold more than one lucrative office at the same time; *Provided*, that no appointment in the militia, or to the office of Justice of the Peace, shall be considered a lucrative office, or operative as a disqualification to a seat in either House of the General Assembly.

SEC. 27. Any member of either House of the General Assembly shall have liberty to dissent from and protest against any act or resolve which he may think injurious to the public or to any individual, and to have the reasons for this dissent entered on the journals.

SEC. 28. All property, real, personal, or mixed, shall be taxed, but the Legislature may except such as may be held by the State, by counties, cities, or towns, and used exclusively for public or corporation purposes, and such as may be held and used for purposes purely religious, charitable, scientific, liter-

ary, or educational, and shall except one thousand dollars, worth of personal property in the hands of each tax-payer, and the direct product of the soil in the hands of the producer and his immediate vendee. All property shall be taxed according to its value, that value to be ascertained in such manner as the Legislature shall direct, so that taxes shall be equal and uniform throughout the State. No one species of property from which a tax may be collected shall be taxed higher than any other species of property of the same value. But the Legislature shall have power to tax merchants, peddlers, and privileges, in such manner as they may from time to time direct. The portion of a merchant's capital used in the purchase of merchandise sold by him to non-residents and sent beyond the State, shall not be taxed at a rate higher than the *ad valorem* tax on property. The Legislature shall have the power to levy a tax upon incomes derived from stocks and bonds that are not taxed *ad valorem*. All male citizens of this State over the age of twenty-one years, except such persons as may be exempted by law on account of age or other infirmity, shall be liable to a poll tax of not less than fifty cents nor more than one dollar per annum. Nor shall any county or corporation levy a poll tax exceeding the amount levied by the State.

*note* SEC. 29. The General Assembly shall have power to authorize the several counties and incorporated towns in this State to impose taxes for county and corporation purposes respectively, in such manner as shall be prescribed by law; and all property shall be taxed according to its value, upon the principles established in regard to State taxation. But the credit of no county, city, or town shall be given or loaned to or in aid of any person, company, association, or corporation, except upon an election to be first held by the qualified voters of such county, city, or town, and the assent of three-fourths of the votes cast at said election. Nor shall any county, city, or town become a stockholder with others in any company, association, or corporation, except upon a like election and the assent of a like majority. But the counties of Grainger, Hawkins, Hancock, Union, Campbell, Scott, Morgan, Grundy, Sumner, Smith, Fentress, Van Buren, and the new county herein authorized to be established out of fractions of Sumner, Macon, and Smith counties, White, Putnam, Overton, Jackson, Cumberland, Anderson, Henderson, Wayne, Cocke, Coffee, Macon, Marshall, and Roane shall be excepted out of the provisions of this section, so far that the assent of a majority of the qualified voters of either of said counties voting on the question shall be sufficient, when the credit of such county is given or loaned to any person, association, or corporation; *Provided*, that the exception of the counties above named shall not be in force beyond the year one thousand eight hundred and eighty, and after that period they shall be subject to the

three-fourths majority applicable to the other counties of the State.

SEC. 30. No article manufactured of the produce of this State shall be taxed otherwise than to pay inspection fees. *hurra*.

SEC. 31. The credit of this State shall not be hereafter loaned or given to or in aid of any person, association, company, corporation, or municipality; nor shall the State become the owner, in whole or in part, of any bank, or a stockholder with others in any association, company, corporation, or municipality.

SEC. 32. No convention or General Assembly of this State shall act upon any amendment of the Constitution of the United States proposed by Congress to the several States, unless such convention or General Assembly shall have been elected after such amendment is submitted.

SEC. 33. No bonds of the State shall be issued to any railroad company which, at the time of its application for the same, shall be in default in paying the interest upon the State bonds previously loaned to it, or that shall hereafter, and before such application, sell or absolutely dispose of any State bonds loaned to it for less than par.

### ARTICLE III.

#### EXECUTIVE DEPARTMENT.

SECTION 1. The Supreme Executive power of this State shall be vested in a Governor.

SEC. 2. The Governor shall be chosen by the electors of the members of the General Assembly, at the time and places where they shall respectively vote for the members thereof. The returns of every election for Governor shall be sealed up and transmitted to the seat of government by the returning officers, directed to the Speaker of the Senate, who shall open and publish them in the presence of a majority of the members of each House of the General Assembly. The person having the highest number of votes shall be Governor; but if two or more shall be equal and highest in votes, one of them shall be chosen Governor by joint vote of both Houses of the General Assembly. Contested elections for Governor shall be determined by both Houses of the General Assembly, in such manner as shall be prescribed by law..

SEC. 3. He shall be at least thirty years of age, shall be a citizen of the United States, and shall have been a citizen of this State seven years next before his election.

SEC. 4. The Governor shall hold his office for two years, and until his successor shall be elected and qualified. He shall not be eligible more than six years in any term of eight.

SEC. 5. He shall be Commander-in-chief of the Army and Navy of the State, and of the militia, except when they shall

be called into the service of the United States; but the militia shall not be called into service except in case of rebellion or invasion, and then only when the General Assembly shall declare by law that the public safety requires it.

SEC. 6. He shall have power to grant reprieves and pardons after conviction, except in cases of impeachment.

SEC. 7. He shall, at stated times, receive a compensation for his services, which shall not be increased or diminished during the period for which he shall have been elected.

SEC. 8. He may require information, in writing, from the officers of the Executive Department upon any subject relating to the duties of their respective offices.

SEC. 9. He may, on extraordinary occasions, convene the General Assembly by proclamation, in which he shall state specifically the purposes for which they are to convene; but they shall enter on no legislative business except that for which they were specifically called together.

SEC. 10. He shall take care that the laws be faithfully executed.

SEC. 11. He shall, from time to time, give to the General Assembly information of the state of the government, and recommend for their consideration such measures as he shall judge expedient.

SEC. 12. In case of the removal of the Governor from office, or of his death or resignation, the powers and duties of the office shall devolve on the Speaker of the Senate; and in case of the death, removal from office, or resignation of the Speaker of the Senate, the powers and duties of the office shall devolve on the Speaker of the House of Representatives.

SEC. 13. No member of Congress, or person holding any office under the United States or this State, shall execute the office of Governor.

SEC. 14. When any officer, the right of whose appointment is by this Constitution vested in the General Assembly, shall, during the recess, die, or the office, by the expiration of the term, or by other means, become vacant, the Governor shall have the power to fill such vacancy by granting a temporary commission, which shall expire at the end of the next session of the Legislature.

SEC. 15. There shall be a Seal of this State, which shall be kept by the Governor and used by him officially, and shall be called the GREAT SEAL OF THE STATE OF TENNESSEE.

SEC. 16. All grants and commissions shall be in the name and by the authority of the State of Tennessee, be sealed with the State seal, and signed by the Governor.

SEC. 17. A Secretary of State shall be appointed by joint vote of the General Assembly, and commissioned during the term of four years; he shall keep a fair register of all the official acts and proceedings of the Governor, and shall, when required, lay the same and all papers, minutes, and vouchers

relative thereto before the General Assembly; and shall perform such other duties as shall be enjoined by law.

SEC. 18. Every bill which may pass both Houses of the General Assembly shall, before it becomes a law, be presented to the Governor for his signature. If he approve, he shall sign it, and the same shall become a law; but if he refuse to sign it, he shall return it, with his objections thereto in writing, to the House in which it originated, and said House shall cause said objections to be entered at large upon its journal, and proceed to reconsider the bill. If, after such reconsideration, a majority of all the members elected to that House shall agree to pass the bill, notwithstanding the objections of the Executive, it shall be sent, with said objections, to the other House, by which it shall be likewise reconsidered. If approved by a majority of the whole number elected to that House, it shall become a law. The votes of both Houses shall be determined by yeas and nays, and the names of all the members voting for or against the bill shall be entered upon the journals of their respective Houses. If the Governor shall fail to return any bill, with his objections, within five days (Sundays excepted) after it shall have been presented to him, the same shall become a law without his signature, unless the General Assembly by its adjournment prevents its return, in which case it shall not become a law. Every joint resolution or order (except on questions of adjournment) shall likewise be presented to the Governor for his signature, and before it shall take effect shall receive his signature; and, on being disapproved by him, shall in like manner be returned with his objections; and the same, before it shall take effect, shall be repassed by a majority of all the members elected to both Houses, in the manner and according to the rules prescribed in case of a bill.

#### ARTICLE IV.

##### ELECTIONS.

SECTION 1. Every male person of the age of twenty-one years, being a citizen of the United States, and a resident of this State for twelve months, and of the county wherein he may offer his vote for six months next preceding the day of election, shall be entitled to vote for members of the General Assembly, and other civil officers for the county or district in which he resides; and there shall be no qualification attached to the right of suffrage, except that each voter shall give to the judges of election where he offers to vote satisfactory evidence that he has paid the poll taxes assessed against him for such preceding period as the Legislature shall prescribe, and at such time as may be prescribed by law, without which his vote cannot be received. And all male citizens of the State

shall be subject to the payment of poll taxes and the performance of military duty within such ages as may be prescribed by law. The General Assembly shall have power to enact laws requiring voters to vote in the election precincts in which they reside, and laws to secure the freedom of elections and the purity of the ballot-box.

SEC. 2. Laws may be passed excluding from the right of suffrage persons who may be convicted of infamous crimes.

SEC. 3. Electors shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest or summons during their attendance at elections, and in going to and returning from them.

SEC. 4. In all elections to be made by the General Assembly the members thereof shall vote *viva voce*, and their votes shall be entered on the journal. All other elections shall be by ballot.

## ARTICLE V.

### IMPEACHMENT.

SECTION 1. The House of Representatives shall have the sole power of impeachment.

SEC. 2. All impeachments shall be tried by the Senate. When sitting for that purpose the Senators shall be upon oath or affirmation, and the Chief Justice of the Supreme Court, or if he be on trial, the senior Associate Judge, shall preside over them. No person shall be convicted without the concurrence of two-thirds of the Senators sworn to try the officer impeached.

SEC. 3. The House of Representatives shall elect from their own body three members, whose duty it shall be to prosecute impeachments. No impeachment shall be tried until the Legislature shall have adjourned *sine die*, when the Senate shall proceed to try such impeachment.

SEC. 4. The Governor, Judges of the Supreme Court, Judges of the Inferior Courts, Chancellors, Attorneys for the State, Treasurer, Comptroller, and Secretary of State, shall be liable to impeachment whenever they may, in the opinion of the House of Representatives, commit any crime in their official capacity which may require disqualification; but judgment shall only extend to removal from office and disqualification to fill any office thereafter. The party shall, nevertheless, be liable to indictment, trial, judgment, and punishment according to law. The Legislature now has, and shall continue to have, power to relieve from the penalties imposed any person disqualified from holding office by the judgment of a Court of Impeachment..

SEC. 5. Justices of the Peace, and other civil officers not hereinbefore mentioned, for crimes and misdemeanors in office,

shall be liable to indictment in such courts as the Legislature may direct; and upon conviction, shall be removed from office by said court, as if found guilty on impeachment; and shall be subject to such other punishment as may be prescribed by law.

## ARTICLE VI.

### JUDICIAL DEPARTMENT.

SECTION 1. The judicial power of this State shall be vested in one Supreme Court, and in such Circuit, Chancery, and other inferior courts as the Legislature shall from time to time ordain and establish, in the Judges thereof, and in Justices of the Peace. The Legislature may also vest such jurisdiction in corporation courts as may be deemed necessary. Courts to be holden by Justices of the Peace may also be established.

SEC. 2. The Supreme Court shall consist of five Judges, of whom not more than two shall reside in any one of the grand divisions of the State. The Judges shall designate one of their own number who shall preside as Chief Justice. The concurrence of three of the Judges shall in every case be necessary to a decision. The jurisdiction of this court shall be appellate only, under such restrictions and regulations as may from time to time be prescribed by law; but it may possess such other jurisdiction as is now conferred by law on the present Supreme Court; said court shall be held at Knoxville, Nashville, and Jackson.

SEC. 3. The Judges of the Supreme Court shall be elected by the qualified voters of the State. The Legislature shall have power to prescribe such rules as may be necessary to carry out the provisions of Section 2 of this Article. Every Judge of the Supreme Court shall be thirty-five years of age, and shall, before his election, have been a resident of the State for five years. His term of service shall be eight years.

X SEC. 4. The Judges of the Circuit and Chancery Courts, and of other inferior courts, shall be elected by the qualified voters of the district or circuit to which they are to be assigned. Every Judge of such courts shall be thirty years of age, and shall, before his election, have been a resident of the State five years, and of the circuit or district one year. His term of service shall be eight years.

SEC. 5. An Attorney-General and Reporter for the State shall be appointed by the Judges of the Supreme Court, and shall hold his office for a term of eight years. An Attorney for the State for any circuit or district for which a Judge having criminal jurisdiction shall be provided by law, shall be elected by the qualified voters of such circuit or district, and shall hold his office for a term of eight years, and shall have been a resident of the State five years, and of the circuit or district one

M.J.B.

year. In all cases where the Attorney for any district fails or refuses to attend and prosecute according to law, the Court shall have power to appoint an Attorney *pro tempore*.

SEC. 6. Judges and Attorneys for the State may be removed from office by a concurrent vote of both Houses of the General Assembly, each House voting separately; but two-thirds of the members to which each House may be entitled must concur in such vote. The vote shall be determined by ayes and noes, and the names of the members voting for or against the Judge or Attorney for the State, together with the cause or causes of removal, shall be entered on the journal of each House respectively. The Judge or Attorney for the State, against whom the Legislature may be about to proceed, shall receive notice thereof, accompanied with a copy of the causes alleged for his removal, at least ten days before the day on which either House of the General Assembly shall act thereupon.

SEC. 7. The Judges of the Supreme or inferior courts shall, at stated times, receive a compensation for their services, to be ascertained by law, which shall not be increased or diminished during the time for which they are elected. They shall not be allowed any fees or perquisites of office, nor hold any office of trust or profit under this State or the United States. ~~++~~

SEC. 8. The jurisdiction of the Circuit, Chancery, and other inferior courts, shall be as now established by law, until changed by the Legislature.

SEC. 9. Judges shall not charge juries with respect to matters of fact, but may state the testimony and declare the law.

SEC. 10. Judges or Justices of the inferior courts of law and equity shall have power in all civil cases to issue writs of *certiorari*, to remove any cause or the transcript of the record thereof from any inferior jurisdiction into such court of law, on sufficient cause, supported by oath or affirmation.

SEC. 11. No Judge of the Supreme or inferior courts shall preside on the trial of any cause in the event of which he may be interested, or where either of the parties shall be connected with him by affinity or consanguinity, within such degrees as may be prescribed by law, or in which he may have been of counsel, or in which he may have presided in any inferior court, except by consent of all the parties. In case all or any of the Judges of the Supreme Court shall thus be disqualified from presiding on the trial of any cause or causes, the Court or the Judges thereof shall certify the same to the Governor of the State, and he shall forthwith specially commission the requisite number of men of law knowledge for the trial and determination thereof. The Legislature may, by general laws, make provision that special Judges may be appointed to hold any court the Judge of which shall be unable or fail to attend or sit; or to hear any cause in which the Judge may be incompetent.

SEC. 12. All writs and other process shall run in the name of the State of Tennessee, and bear test and be signed by the respective Clerks. Indictments shall conclude, "*Against the peace and dignity of the State.*"

SEC. 13. The Judges of the Supreme Court shall appoint their Clerks, who shall hold their offices for six years. Chancellors shall appoint their Clerks and Masters, who shall hold their offices for six years. Clerks of the inferior courts, holden in the respective counties or districts, shall be elected by the qualified voters thereof for the term of four years. Any Clerk may be removed from office for malfeasance, incompetency, or neglect of duty, in such manner as may be prescribed by law.

SEC. 14. No fine shall be laid on any citizen of this State that shall exceed fifty dollars, unless it shall be assessed by a jury of his peers, who shall assess the fine at the time they find the fact, if they think the fine should be more than fifty dollars.

SEC. 15. The different counties of this State shall be laid off as the General Assembly may direct into districts of convenient size, so that the whole number in each county shall not be more than twenty-five, or four for every one hundred square miles. There shall be two Justices of the Peace and one Constable elected in each district by the qualified voters therein, except districts including county towns, which shall elect three Justices and two Constables. The jurisdiction of said officers shall be co-extensive with the county. Justices of the Peace shall be elected for the term of six and Constables for the term of two years. Upon the removal of either of said officers from the district in which he was elected, his office shall become vacant from the time of such removal. Justices of the Peace shall be commissioned by the Governor. The Legislature shall have power to provide for the appointment of an additional number of Justices of the Peace in incorporated towns.

## ARTICLE VII.

### STATE AND COUNTY OFFICERS.

SECTION 1. There shall be elected in each county, by the qualified voters therein, one Sheriff, one Trustee, one Register; the Sheriff and Trustee for two years and the Register for four years; but no person shall be eligible to the office of Sheriff more than six years in any term of eight years. There shall be elected for each county by the Justices of the Peace one Coroner and one Ranger, who shall hold their offices for two years. Said officers shall be removed for malfeasance or neglect of duty, in such manner as may be prescribed by law.

SEC. 2. Should a vacancy occur subsequent to an election in the office of Sheriff, Trustee, or Register, it shall be filled by the Justices; if in that of the Clerk, to be elected by the peo-

ple, it shall be filled by the courts; and the person so appointed shall continue in office until his successor shall be elected and qualified; and such office shall be filled by the qualified voters at the first election for any of the county officers.

SEC. 3. There shall be a Treasurer or Treasurers and a Comptroller of the Treasury appointed for the State by the joint vote of both Houses of the General Assembly, who shall hold their offices for two years.

SEC. 4. The election of all officers and the filling of all vacancies not otherwise directed or provided by this Constitution, shall be made in such manner as the Legislature shall direct.

SEC. 5. Elections for judicial and other civil officers shall be held on the first Thursday in August, one thousand eight hundred and seventy, and forever thereafter on the first Thursday in August next preceding the expiration of their respective terms of service.

The term of each officer so elected shall be computed from the first day of September next succeeding his election. The term of office of the Governor and other executive officers shall be computed from the fifteenth of January next after the election of the Governor. No appointment or election to fill a vacancy shall be made for a period extending beyond the unexpired term. Every officer shall hold his office until his successor is elected or appointed and qualified. No special election shall be held to fill a vacancy in the office of Judge or District Attorney, but at the time herein fixed for the biennial election of civil officers. And such vacancy shall be filled at the next biennial election recurring more than thirty days after the vacancy occurs.

## ARTICLE VIII.

### MILITIA.

*here*  
SECTION 1. All militia officers shall be elected by persons subject to military duty within the bounds of their several companies, battalions, regiments, brigades, and divisions, under such rules and regulations as the Legislature may from time to time direct and establish.

SEC. 2. The Governor shall appoint the Adjutant-general and his other staff officers; the Major-generals, Brigadier-generals, and commanding officers of regiments, shall respectively appoint their staff officers.

SEC. 3. The Legislature shall pass laws exempting citizens belonging to any sect or denomination of religion, the tenets of which are known to be opposed to the bearing of arms, from attending private and general musters.

## ARTICLE IX.

## DISQUALIFICATIONS.

SECTION 1. Whereas, ministers of the gospel are, by their profession, dedicated to God and the care of souls, and ought not to be diverted from the great duties of their functions; therefore, no minister of the gospel, or priest of any denomination whatever, shall be eligible to a seat in either House of the Legislature.

SEC. 2. No person who denies the being of God, or a future state of rewards and punishments, shall hold any office in the civil department of this State.

SEC. 3. Any person who shall, after the adoption of this Constitution, fight a duel, or knowingly be the bearer of a challenge to fight a duel, or send or accept a challenge for that purpose, or be an aider or abettor in fighting a duel, shall be deprived of the right to hold any office of honor or profit in this State, and shall be punished otherwise in such manner as the Legislature may prescribe.

## ARTICLE X.

## OATHS, BRIBERY OF ELECTORS, NEW COUNTIES.

SECTION 1. Every person who shall be chosen or appointed to any office of trust or profit under this Constitution, or any law made in pursuance thereof, shall, before entering upon the duties thereof, take an oath to support the Constitution of this State and of the United States and an oath of office.

SEC. 2. Each member of the Senate and House of Representatives shall, before they proceed to business, take an oath or affirmation to support the Constitution of this State and of the United States, and also the following oath: "I, — — —, do solemnly swear (or affirm) that, as a member of this General Assembly, I will, in all appointments, vote without, favor, affection, partiality, or prejudice; and that I will not propose or assent to any bill, vote, or resolution, which shall appear to me injurious to the people, or consent to any act or thing whatever that shall have a tendency to lessen or abridge their rights and privileges, as declared by the Constitution of this State."

SEC. 3. Any elector who shall receive any gift or reward for his vote in meat, drink, money, or otherwise, shall suffer such punishment as the laws shall direct. And any person who shall directly or indirectly give, promise, or bestow any such reward to be elected, shall thereby be rendered incapable, for six years, to serve in the office for which he was elected, and be subject to such further punishment as the Legislature shall direct.

SEC. 4. New counties may be established by the Legislature to consist of not less than two hundred and seventy-five square miles, and which shall contain a population of seven hundred qualified voters. No line of such county shall approach the court-house of any old county, from which it may be taken, nearer than eleven miles, nor shall such old county be reduced to less than five hundred square miles. But the following exceptions are made to the foregoing provisions, viz.: New counties may be established by the present or any succeeding Legislature out of the following territory, to-wit: Out of that portion of Obion County which lies west of low-water mark of Reel Foot Lake; out of fractions of Sumner, Macon, and Smith Counties—but no line of such new county shall approach the court-house of Sumner or Smith Counties nearer than ten miles, nor include any part of Macon County lying within nine and a half miles of the court-house of said county; nor shall more than twenty square miles of Macon county, nor any part of Sumner county lying due west of the western boundary of Macon county, be taken in the formation of said new county; out of fractions of Grainger and Jefferson Counties, but no line of such new county shall include any part of Grainger County north of the Holston River, nor shall any line thereof approach the court-house of Jefferson County nearer than eleven miles—such new county may include any other territory which is not excluded by any general provision of this Constitution; out of fractions of Jackson and Overton Counties, but no line of such new county shall approach the court-house of Jackson or Overton Counties nearer than ten miles, nor shall such county contain less than four hundred qualified voters, nor shall the area of either of the old counties be reduced below four hundred and fifty square miles; out of fractions of Roane, Monroe, and Blount Counties, around the town of Loudon, but no line of such new county shall ever approach the towns of Maryville, Kingston, or Madisonville nearer than eleven miles, except that on the south side of the Tennessee River said lines may approach as near as ten miles to the court-house of Roane County. The counties of Lewis, Cheatham, and Sequatchie, as now established by legislative enactments, are hereby declared to be constitutional counties. No part of Bledsoe County shall be taken to form a new county, or a part thereof, or be attached to any adjoining county. That portion of Marion County included within the following boundaries: Beginning on the Grundy and Marion County line at the Nick-a-jack Trace, and running about six hundred yards west of Ben Posey's, to where the Tennessee Coal Railroad crosses the line, running thence south-east through the Pocket, near William Summers's, crossing the Battle Creek Gulf at the corner of Thomas Wooten's field; thence running across the Little Gizzard Gulf at Raven Point; thence in a direct line to the bridge crossing the Big Fiery Gizzard; thence in a direct line

to the mouth of Holy Water Creek; thence up said creek to the Grundy County line, and thence with said line to the beginning, is hereby detached from Marion County and attached to the county of Grundy." No part of a county shall be taken off to form a new county, or a part thereof, without the consent of two-thirds of the qualified voters in such part taken off; and where an old county is reduced for the purpose of forming a new one, the seat of justice in said old county shall not be removed without the concurrence of two-thirds of both branches of the Legislature, nor shall the seat of justice of any county be removed without the concurrence of two-thirds of the qualified voters of the county. But the foregoing provision, requiring a two-thirds majority of the voters of a county to remove its county seat, shall not apply to the counties of Obion and Cocke. The fractions taken from old counties to form new counties, or taken from one county and added to another, shall continue liable for their *pro rata* of all debts contracted by their respective counties prior to the separation, and be entitled to their proportion of any stocks or credits belonging to such old counties.

SEC. 5. The citizens who may be included in any new county shall vote with the county or counties from which they may have been stricken off for members of Congress, for Governor, and for members of the General Assembly, until the next apportionment of members of the General Assembly after the establishment of such new county.

## ARTICLE XI.

### MISCELLANEOUS PROVISIONS.

SECTION 1. All laws and ordinances now in force and use in this State, not inconsistent with this Constitution, shall continue in force and use until they shall expire or be altered or repealed by the Legislature. But ordinances contained in any former Constitution or schedule thereto are hereby abrogated.

SEC. 2. Nothing contained in this Constitution shall impair the validity of any debts on contracts, or affect any rights of property, or any suits, actions, rights of action, or other proceedings in courts of justice.

SEC. 3. Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives; and, if the same shall be agreed to by a majority of all the members elected to each of the two Houses, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays thereon, and referred to the General Assembly then next to be chosen; and shall be published six months previous to the time of making such choice; and if in the General Assembly then next chosen, as aforesaid, such proposed amendment or amendments shall be agreed to by

two-thirds of all the members elected to each House, then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the people in such manner and at such time as the General Assembly shall prescribe. And if the people shall approve and ratify such amendment or amendments by a majority of all the citizens of the State voting for Representatives voting in their favor, such amendment or amendments shall become a part of this Constitution. When any amendment or amendments to the Constitution shall be proposed in pursuance of the foregoing provisions, the same shall, at each of the said sessions, be read three times on three several days in each House. The Legislature shall not propose amendments to the Constitution oftener than once in six years. The Legislature shall have the right at any time, by law, to submit to the people the question of calling a Convention to alter, reform, or abolish this Constitution, and when, upon such submission, a majority of all the votes cast shall be in favor of said proposition, then delegates shall be chosen, and the Convention shall assemble in such mode and manner as shall be prescribed.

SEC. 4. The Legislature shall have no power to grant divorces, but may authorize the courts of justice to grant them for such causes as may be specified by law; but such laws shall be general and uniform in their operation throughout the State.

SEC. 5. The Legislature shall have no power to authorize lotteries for any purpose, and shall pass laws to prohibit the sale of lottery tickets in this State.

SEC. 6. The Legislature shall have no power to change the names of persons, or to pass acts adopting or legitimatizing persons, but shall, by general laws, confer this power on the courts.

SEC. 7. The Legislature shall fix the rate of interest, and the rate so established shall be equal and uniform throughout the State; but the Legislature may provide for a conventional rate of interest, not to exceed ten per cent. per annum.

SEC. 8. The Legislature shall have no power to suspend any general law for the benefit of any particular individual, nor to pass any law for the benefit of individuals inconsistent with the general laws of the land; nor to pass any law granting to any individual or individuals rights, privileges, immunities, or exemptions, other than such as may be, by the same law, extended to any member of the community who may be able to bring himself within the provisions of such law. No corporation shall be created, or its powers increased or diminished, by special laws, but the General Assembly shall provide, by general laws, for the organization of all corporations hereafter created, which laws may, at any time, be altered or repealed; and no such alteration or repeal shall interfere with or divest rights which have become vested.

*Here.*

SEC. 9. The Legislature shall have the right to vest such powers in the courts of justice with regard to private and local affairs as may be expedient.

SEC. 10. A well-regulated system of internal improvement is calculated to develop the resources of the State and promote the happiness and prosperity of her citizens, therefore it ought to be encouraged by the General Assembly.

SEC. 11. A homestead in the possession of each head of a family, and the improvements thereon, to the value in all of one thousand dollars, shall be exempt from sale under legal process during the life of such head of a family, to inure to the benefit of the widow, and shall be exempt during the minority of their children occupying the same. Nor shall said property be alienated without the joint consent of the husband and wife when that relation exists. This exemption shall not operate against public taxes, or debts contracted for the purchase money of such homestead or improvements thereon.

SEC. 12. Knowledge, learning, and virtue, being essential to the preservation of republican institutions, and the diffusion of the opportunities and advantages of education throughout the different portions of the State being highly conducive to the promotion of this end, it shall be the duty of the General Assembly, in all future periods of this government, to cherish literature and science. And the fund called the *common school fund*, and all the lands and proceeds thereof, dividends, stocks, and other property of every description whatever, heretofore by law appropriated by the General Assembly of this State for the use of common schools, and all such as shall hereafter be appropriated, shall remain a *perpetual fund*, the principal of which shall never be diminished by legislative appropriation; and the interest thereof shall be inviolably appropriated to the support and encouragement of common schools throughout the State, and for the equal benefit of all the people thereof; and no law shall be made authorizing said fund, or any part thereof, to be diverted to any other use than the support and encouragement of common schools. The State taxes derived hereafter from polls shall be appropriated to educational purposes in such manner as the General Assembly shall from time to time direct by law. No school established or aided under this section shall allow white and negro children to be received as scholars together in the same school. The above provision shall not prevent the Legislature from carrying into effect any laws that have been passed in favor of the colleges, universities, or academies, or from authorizing heirs or distributees to receive and enjoy escheated property under such laws as may be passed from time to time.

SEC. 13. The General Assembly shall have power to enact laws for the protection and preservation of game and fish within the State, and such laws may be enacted for and applied and

enforced in particular counties or geographical districts designated by the General Assembly.

Sec. 14. The intermarriage of white persons with negroes, mulattoes, or persons of mixed blood, descended from a negro to the third generation, inclusive, or their living together as man and wife, in this State is prohibited. The Legislature shall enforce this section by appropriate legislation.

Sec. 15. No person shall, in time of peace, be required to perform any service to the public on any day set apart by his religion as a day of rest.

Sec. 16. The declaration of rights, hereto prefixed, is declared to be a part of the Constitution of this State, and shall never be violated on any pretense whatever. And to guard against transgression of the high powers we have delegated, we declare that every thing in the Bill of Rights contained is excepted out of the general powers of the government, and shall forever remain inviolate.

Sec. 17. No county office created by the Legislature shall be filled otherwise than by the people or the County Court.

REPRESENTATIVES  
OF HARDIN COUNTY IN THE LOWER HOUSE  
OF THE LEGISLATURE.

JOEL WALKER, Representative of Hardin and Wayne from 1820 to 1823.  
JAMES BARNES, from 1823 to 1825.  
BENJAMIN HARDIN, Representative of Hardin, Wayne, McNairy, Hardeman, Fayette, Shelby, and Tipton, from 1825 to 1827.  
BRADLEY HALFORD, Representative of Lawrence, Wayne, and Hardin, from 1831 to 1833.  
JOHN RAYBURN, Representative of Hardin, Hickman, Lawrence, Wayne, and McNairy, from 1833 to 1835.  
C. C. GIBBS, from 1837 to 1839.  
C. H. McGINNIS, from 1839 to 1847.  
DANIEL SMITH, from 1847 to 1851.  
GEORGE M. HAMILTON, from 1851 to 1853.  
CON. BROYLES, from 1853 to 1855.  
B. G. BRAZELTON, from 1855 to 1857.  
JAMES T. CARTER, from 1857 to 1859.  
D. A. ROBERTS, from 1859 to 1861.  
THOMAS MAXWELL, from 1865 to 1867.  
ALFRED PITTS, from 1867 to 1869.  
W. F. HINKLE, from 1869 to 1873.  
S. W. RIGGS, from 1873 to 1875.  
D. W. HERRING, Hardin and Decatur, from 1875 to 1877.  
G. W. HAYNES, Hardin and Decatur, from 1877 to 1879.  
E. G. YANCY, Hardin and Decatur, from 1879 to 1881.  
H. B. NEELY,\* Hardin and Decatur, from 1881 to 1882.  
J. D. MARTIN, Hardin and Decatur, from 1882 to 1885.  
J. A. HANNA, Hardin and Decatur, from 1885 to 1887.

The names of the Representatives of the county between the years 1827 and 1831, and between the years 1835 and 1837, are unknown to us.

---

\*Hon. H. B. Neely, after serving one year, died, and Hon. J. D. Martin was elected to fill out the unexpired term.

## OFFICIAL VOTE OF HARDIN COUNTY—1884.

DIST'S.	PRES'T.		CONG.		GOV'R.		SENATOR.		REP.	
	Blaine.	Cleveland.	Warren.	Taylor.	Reid.	Bate.	Smith.	Patterson.	Hanna.	Martin.
1	57	53	56	54	56	54	54	55	56	53
2	90	48	90	48	90	48	87	49	89	48
3	94	89	93	89	94	89	93	89	94	89
4	246	199	244	199	244	201	219	216	216	222
5	67	25	65	27	67	27	67	27	67	27
6	143	78	143	78	143	78	143	78	144	76
7	79	38	87	32	79	36	79	38	78	39
8	75	55	79	52	75	55	74	57	75	54
9	13	46	13	46	13	46	12	47	12	45
10	67	49	66	49	66	49	64	51	58	55
11	21	67	20	67	21	67	20	68	20	68
12	238	59	235	57	235	59	233	59	239	58
13	238	72	238	72	238	72	238	72	240	66
14	37	71	37	73	37	74	29	78	35	75
15	30	81	30	81	30	81	27	83	29	83
16	51	57	50	57	52	56	50	58	45	61
Total.....	1546	1087	1546	1083	1540	1092	1489	1025	1497	1119
Majority ...	459		463		448		364		378	



P.R. Marcella Series 1 Vol 22  
Electoral in Maharashtra & Goa  
Counties +



Mc. Divertie  
Book

Written by  
Minnie McDivertie







2/25/2011

T 222105 5 44 00



HF GROUP-IN

